THE CITY OF WINNIPEG

BY-LAW NO. 152/2012

A By-law of THE CITY OF WINNIPEG to amend the Solid Waste By-law

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Solid Waste By-law amended

1 The Solid Waste By-law No. 110/2012 is amended by this By-law.

Definition of "base level of service" and "standard level of service" added

2 Section 2 is amended by adding the following definitions in alphabetical order:

"base level of service" *means the number and size of carts or other containers for the collection of solid waste and the frequency of collection established by City Council as the minimum requirement for all properties containing a single dwelling unit;*

"standard level of service" *means the number and size of carts or other containers for the collection of solid waste and the frequency of collection of solid waste determined by City Council to be appropriate for each dwelling unit on all properties with between two and seven dwelling units;*

Section 3 replaced

3 Section 3 is repealed and replaced with the following:

Solid waste collection for residential properties

3(1) *Subject to subsection (2), the suspension or termination of the obligations of a property owner under subsections 6(4) or 6(5) or the suspension of solid waste collection services to a property under section 8,*

(a) the Director must provide a standard level of service to every residential property within the boundaries of the City of Winnipeg; and

(b) the owner of the residential property to which solid waste collection services are provided is liable for payment of a service fee imposed for a standard level of service with respect to the property.

3(2) *Notwithstanding subsection (1), the owner of a property which contains between two and seven dwelling units and who is being billed for the service fee referred to in clause (1)(b), upon payment of any applicable fee established by Council, may apply to the Director for a reduction of service provided to the property below the standard level of service and a commensurate reduction in the service fee. The Director may approve a reduction of service provided to the property if he or she is satisfied that*

(a) the occupants of the dwelling units will receive solid waste collection services sufficient for their needs;

(b) the reduction will not result in garbage or other solid waste accumulating on the property in contravention of The Neighbourhood Liveability By-law *or of* The Public Health *Act.*

The Director must not approve a reduction of service to the property below the base level of service.

3(4) *The Director is authorized to reverse an approval for a reduction of service to property under subsection (2) or to increase the service level provided to the property that has had a reduction approved under subsection (2) if he or she concludes that:*

(a) the occupants of the dwelling units are not receiving solid waste collection services sufficient for their needs;

(b) garbage or other solid waste has accumulated or is accumulating on the property in contravention of The Neighbourhood Liveability By-law *or of* The Public Health *Act.*

Where the Director acts under this subsection, the owner must pay the service fee applicable to the service level being provided.

DONE AND PASSED, this 12th day of December, 2012.

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Mayor

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City Clerk

Approved as to content:

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Director of Water and Waste

Approved as to form:

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For Director of Legal Services/City Solicitor