
REPORT TITLE: Amendments to the Waste Management System Fees and Charges By-law 17-2007, as amended and the Waste Collection By-law 35-2015 During a Declared Emergency

FROM: Andrew Farr, Acting Commissioner of Public Works

RECOMMENDATION

That the amendments to the Waste Management System Fees and Charges By-law 17-2007, as amended and the Waste Collection By-law 35-2015, described in the report from the Commissioner of Public Works titled, “Amendments to the Waste Management System Fees and Charges By-law 17-2007, as amended and the Waste Collection By-law 35-2015 During a Declared Emergency”, be approved;

And further, that the Commissioner of Public Works be granted delegated authority during a declared emergency, and for so long following the termination of a declared emergency as may be necessary for the purpose, to waive any Waste Management System Fees and Charges otherwise payable for dropping off waste at the Region’s Community Recycling Centres, to the extent deemed by the Commissioner to be appropriate as a measure taken to effectively respond to the declared emergency;

And further, that the Commissioner of Public Works be granted delegated authority during a declared emergency to adjust waste management services, and to waive any requirement respecting the provision of waste management services as the Commissioner may deem appropriate as a measure to effectively respond to the declared emergency;

And further, that the necessary amending bylaws be presented for enactment;

And further, that suspension by the Regional Chair for the duration of the COVID-19 declared emergency of the requirement to provide Public Notice at least 10 days before the enactment of a by-law amending fees and charges, as permitted in the Region’s Corporate Public Notice Policy G00-16, be endorsed.

REPORT HIGHLIGHTS

- At its March 26, 2020 meeting, Regional Council authorized the Commissioner of Public Works to adjust waste management services to respond to the COVID-19 pandemic.
- At its April 9, 2020 meeting, Regional Council directed staff to allow curbside residents to set out a maximum of two bags of excess garbage without requiring bag tags; to waive fees for materials currently accepted at the Community Recycling Centres; and, to suspend the collection of bulky items.

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- This report describes the amendments to the Waste Management System Fees and Charges and Waste Collection By-laws recommended to implement the waste service, fees and charges changes during a declared emergency as directed by Regional Council.
 - An additional amendment is proposed to authorize the Commissioner of Public Works, to adjust waste management services, and to waive any requirement respecting the provision of waste management services, in order to effectively respond to a declared emergency.
 - This report recommends that suspension by the Regional Chair of the requirement to provide Public Notice at least 10 days before the enactment of a by-law amending fees and charges, as permitted in the Region's Corporate Public Notice Policy G00-16, be endorsed by Regional Council.
 - The by-laws which are being enacted to amend existing fees and charges will have the effect of relieving economic hardship for Region of Peel residents rather than imposing any additional economic burden.
 - The Commissioner will advise Regional Councillors in a timely way regarding the use of delegated authority.
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DISCUSSION

1. Background

In response to the COVID-19 pandemic, at its March 26, 2020 meeting, Regional Council passed Resolution SRC 2020-240, which authorizes the Commissioner of Public Works to adjust waste management services, as required, in response to COVID-19 to ensure the safe and efficient delivery of waste management services, support physical distancing and protect the health and safety of workers and residents.

At its April 9, 2020 meeting, Regional Council passed Resolution 2020-294. This resolution directed staff to allow curbside residents to set out a maximum of two bags of excess garbage without requiring garbage bag tags, to waive fees for all waste currently being accepted at the Community Recycling Centres and to suspend or continue the suspension of the collection of bulky items.

As a result of these resolutions, it is recommended that the Waste Management System Fees and Charges By-law 17-2007, as amended, and the Waste Collection By-law 35-2015 be amended to support implementation of the changes to waste management services, fees and charges as directed by Regional Council.

It is also recommended that the Commissioner of Public Works be granted delegated authority to make changes of this nature during a declared emergency, declared by the Chair pursuant to section 4 of the *Emergency Management and Civil Protection Act*, in order to minimize the need to address such changes through further by-law amendments.

It is recommended that the proposed by-law amendments take effect March 18, 2020.

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2. Required By-law Changes to Respond to COVID-19

a) Waste Management System Fees and Charges By-law 17-2007, as amended

To waive the fees at the Community Recycling Centres the Waste Management System Fees and Charges By-law would be amended to include a section permitting the waiving of the Community Recycling Centre fees for all waste streams for the duration of the declared emergency.

To respond to a possible resurgence of COVID-19 in the future or another declared emergency, staff recommend a delegation of authority during declared emergencies in order to avoid the need for further by-law amendments and thereby ease the administrative burden on Regional Council and staff resources. Staff therefore recommend that the Commissioner be given authority to waive fees at the Community Recycling Centres as needed to effectively respond to a declared emergency.

The Commissioner will advise Regional Councillors in a timely way regarding the use of delegated authority.

b) Waste Collection By-law 35-2015

Several amendments to the Waste Collection By-law 35-2015 would be made to implement Council Resolutions SRC 2020-294 and 2020-240.

Adjustments to waste management services as required to respond to COVID-19 and to maintain the health and safety of waste management staff and the longevity of essential waste management services could also be implemented, which could include the following:

- Limits on collection,
- Frequency of garbage collection service,
- Frequency of recycling collection service,
- Frequency of yard waste collection service,
- Frequency of source separated organics collection service, and
- Receptacle requirements.

To avoid the need for multiple By-law amendments, and to thereby minimize the administrative burden on Regional Council and staff during a declared emergency, staff recommend that the Commissioner of Public Works be granted delegated authority during a declared emergency to adjust waste management services, and to waive any requirement respecting the provision of waste management services to effectively respond to the declared emergency.

The Commissioner will advise Regional Councillors in a timely way regarding the use of delegated authority.

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c) Suspension of Public Notice Requirements During Declared Emergency

The Region's Public Notice Policy G00-16 generally requires Public Notice to be published in newspapers and posted on the Region's website at least 10 days prior to the enactment of a by-law fixing fees and charges and any amendments thereto. The Policy also states that these requirements may be suspended by the Regional Chair in the event of a declared emergency.

During a declared emergency, decisions and changes need to be made quickly. The by-laws which are being enacted during the COVID-19 pandemic to amend existing fees and charges will have the effect of relieving economic hardship for Region of Peel residents rather than imposing any additional economic burden. Therefore, staff recommend that the requirement to provide Public Notice at least 10 days before the enactment of a by-law amending fees and charges, as set out in the Region's Corporate Public Notice Policy G00-16, be suspended by the Regional Chair during the COVID-19 declared emergency, as permitted by the Policy.

Residents have been and will continue to be notified of any service changes via standard communication tactics.

RISK CONSIDERATIONS

If the amendments to the Waste Management Fees and Charges By-law and the Waste Collection By-law as described in this report are not approved, a significant administrative burden may be imposed upon Regional Council and staff resources during the time of a declared emergency. In addition, any future changes to waste management services that may be required to ensure the sustainability of Peel's waste management collection services during a declared emergency may not be implemented in a timely fashion.

For further information regarding this report, please contact Norman Lee, Director Waste Management, Ext. 4703, norman.lee@peelregion.ca.

Authored By: Grace McKenzie, Program Manager, Policy Research and Business Strategies and Carrie Foerster, Senior Legal Council

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Reviewed and/or approved in workflow by:

Department Commissioner, Division Director, Financial Support Unit and Legal Services.

Final approval is by the Chief Administrative Officer.

A handwritten signature in black ink, reading "Nancy Polsinelli". The signature is written in a cursive style with a large initial "N" and a long, sweeping underline.

N. Polsinelli, Interim Chief Administrative Officer