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**MEMORANDUM**

**WMPSC-C 7-2021**

**Subject: Mandatory Closed-Top Garbage Containers**

**Date: Monday, February 22, 2021**

**To: Waste Management Planning Steering Committee**

**From: Susan McPetrie, Waste Management Services Advisor**

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This memorandum provides information on implementing mandatory closed-top garbage containers. It is provided in reference to the Councillor Information Request from the October 28, 2019 meeting of the Waste Management Planning Steering Committee, Minute Item #7.2.

Staff have previously provided information to the Waste Management Planning Steering Committee on recycling container lids and covers. The most recent updates were presented on June 26, 2017 (WMPSC-C 25-2017), February 25, 2019 (WMPSC-C 11-2019) and October 28, 2019 (WMPSC-C 37-2019). These memos outline the options related to Blue and Grey Box containers, but do not address considerations related to garbage containers.

**Current By-law**

Niagara Region's current Waste Management By-law allows properties with curbside collection to place their garbage in bags and/or cans. Garbage cans must have handles, but are not required to have lids. For those with lids, the lids must be removable.

There are provisions in the current by-law that target the control of animals and litter related to container set out. Section 18.1 specifies that the owner of premises shall set out for collection only containers which are contained, as required, to prevent the attraction of animals (including insects) and the release of odors. Under section 19.1, owners of premises are required to prevent any material set out for collection to become uncontained or otherwise escape. These provisions of the by-law are enforced in response to complaints.

The City of Welland has recently approved an amendment to its Clean Yards By-law to include a requirement that garbage containers kept in yards be made of rigid, watertight

construction, have a tight-fitting cover and be maintained in good condition. The by-law specifically targets containers that are in residents' yards. It does not extend to containers that are placed out at the curb, which remain under the jurisdiction of the Region.

The amendment to the Clean Yards By-law also requires that containers be located in the side or rear yard and not the front yard or porch. While the City is responsible for the enforcement of its by-law, City staff will work with the Region to coordinate on related issues, such as the Region's set out service, which allows residents who have received approval, to place garbage containers in front of their house rather than at the curb for collection.

## **Other Jurisdictions**

A review of Niagara's thirteen (13) comparator municipalities found that two (2) municipalities, Toronto and Peel, use cart-based systems that require residents to use carts with lids for all waste streams. All of the remaining eleven (11) municipalities allow the use of garbage cans, but in only one (1) municipality, the City of Windsor, is the use of a closed-top garbage can mandatory. Windsor also requires that a plastic garbage bag be used inside the garbage can. Seven (7) of the eleven (11) municipalities that allow garbage cans do not require that the garbage can have a lid. Appendix A contains a table with the allowable containers for each of the thirteen (13) comparator municipalities.

## **Implications of Mandatory Closed-top Garbage Cans**

Closed-top garbage cans are one option for reducing windblown litter. However, if the garbage is loose inside the can, there is potential for the material to become windblown as it is transferred into the collection vehicle.

Requiring properties to set out closed-top garbage containers may restrict choice and flexibility. In addition to affecting service users' convenience, specifically the ability to choose their preferred container type, for a subset of users, a new container would have to be purchased. For properties with long driveways or limited storage, garbage cans may present logistical challenges. With every-other-week garbage collection, residents would potentially need to purchase and store two (2) garbage cans or possibly more for occasional exceedances of the garbage container limit (e.g. amnesty week). There are also potential challenges with lids being lost or blown away. Additionally, garbage can

lids may negatively impact collection time and efficiency, which has been observed during pilots which tested use of various recycling box covers.

Requiring the use of garbage cans with lids would require additional communication and promotion resources to inform service users of the change. Also, in addition to the current enforcement needed on-road to ensure adherence to the existing Waste Management By-law, more resources would be required to enforce mandatory closed-top garbage cans.

Alternatively, moving to a cart-based system would require an initial investment to provide carts to properties and an annual maintenance and replacement cost. Peel Region, which introduced carts in 2013, reported an initial cost of \$35 million to provide carts for a three (3)–stream waste system or \$109/household. Annual maintenance and replacement costs were estimated to be \$1 to \$3 million or \$3 to \$9/household. Cart-based systems are also known to increase the contamination of recyclable material, resulting in decreased market value.

## **Next Steps**

Niagara Region's current Waste Management By-law does not require garbage to be set out in a can with a lid. As in seven (7) of the Region's thirteen (13) municipal comparators, garbage cans with lids are allowed but not mandatory. Key considerations in introducing the requirement for mandatory closed top garbage cans include potential impacts on service users' convenience, flexibility and storage needs as well as additional resources required for communicating and enforcing the by-law change. Staff will continue to enforce Sections 18.1 and 19.1 of the Waste Management By-law.

As the City of Welland has recently introduced a requirement that garbage cans in yards have lids, the Region can monitor their progress with implementing this change and report back on their experience.

Respectfully submitted and signed by

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Susan McPetrie  
Waste Management Services Advisor

## **Appendices**

### Appendix A – Allowable Containers in Niagara Region's Comparator Municipalities