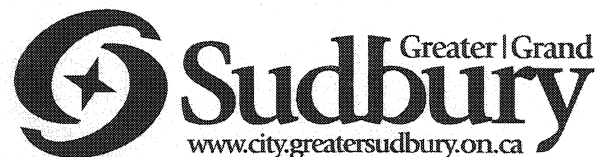


# **Public Hearing Waste Management**

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# Request for Recommendation Priorities Committee



## Type of Decision

Meeting Date	38405				Report Date	38358			
Recommendation		Yes	<input checked="" type="checkbox"/>	No	Priority		High	<input checked="" type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

## Report Title

**Public Notification Procedures for Public Meeting - Waste Management By-Law**

### Policy Implications + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified

#### Policy Implications:

The *Municipal Act, 2001* requires the City to provide notice to the public of its intention to pass certain by-laws, the holding of certain required public meetings, and of other matters. Schedule "A" of By-Law 2003-2 sets out the form, manner and times the notice shall be given, unless specified by the *Municipal Act, 2001*, another Act or a regulation, or, if Council directs that other public notice is to be given. The Notice requirements include posting on the City's Web Page.

#### Financial Impact:

There is no financial impact associated with this Report.

☒ Background attached

### Recommendation

This is a compliance report detailing how the notice requirements for this public hearing have been satisfied and appears for information only.

At the close of the Agenda on Friday, February 18, 2005 no requests had been received by the City Clerk's Office to address Council on this matter.

**THIS REPORT APPEARS FOR  
INFORMATION ONLY**

Recommendation attached

### Recommended by the General Manager

  
Caroline Hallsworth  
Executive Director of Administrative Support Services

### Recommended by the C.A.O.

  
Mark Mieto  
Chief Administrative Officer

Date: 2005-02-17

**Report Authored By**



Corrie-Jo Caporale  
Council Secretary

**Division Review**

**PURPOSE OF REPORT:**

The purpose of this report is to serve as a record and for future reference that the City of Greater Sudbury has satisfied the notice requirements of the *Municipal Act, 2001* in respect to the fees imposed for the provision of certain waste management services in order to recover part of the cost of providing such services

**BACKGROUND:**

Section 12 of Ontario Regulation 244/02 made under Part XII (Fees and Charges) of the *Municipal Act, 2001* sets out the notice procedures in respect of proposed waste management charges.

Section 12 reads in full as follows:

12. (1) This section applies only to the power of a municipality or a local board under Part XII of the Act to impose fees or charges for the use of a waste management system, the use of a sewage system or the consumption of water. O. Reg. 244/02, s. 12 (1).
- (2) The amount of fees or charges for the use of a waste management system, for the use of a sewage system or the consumption of water shall not exceed the cost of providing the waste management system, the sewage system or the water system, as the case may be. O. Reg. 244/02, s. 12 (2).
- (3) A by-law, if not repealed earlier, expires on December 31 of the year following the year in which the by-law was passed. O. Reg. 244/02, s. 12 (3).
- (4) Despite subsection (3), in the case of a by-law which was in force on the day this Regulation comes into force, the by-law expires on December 31 of the year following the year in which this Regulation comes into force. O. Reg. 244/02, s. 12 (4).
- (5) Amendments to a by-law under Part XII of the Act do not affect the term of the by-law under subsection (3) or (4). O. Reg. 244/02, s. 12 (5).

Date: 2005-02-17

(6) Before passing a by-law imposing a fee or charge, the municipality or local board, as the case may be, shall,

(a) hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter;

(b) ensure that a minimum of 21 days notice of the public meeting is given, including giving 21 days notice to every person and organization that has, within five years before the day of the public meeting, given the clerk of the municipality or secretary of the local board, as the case may be, a written request for notice of the passing of the by-law containing a return address;

(c) ensure that notice under this section,

(i) sets out the intention of the municipality or local board to pass the by-law and whether the by-law would impose any fee or charge which was not in effect on the day the notice is given or change any fee or charge which was in force on the day the notice is given, and

(ii) sets out the information described in clause (d) or states that the information will be made available at no cost to any member of the public upon request; and

(d) shall make available to the public information setting out,

(i) a description of the service or activity or other matter for which the fee or charge is being imposed,

(ii) an estimate of the costs of providing the waste management system, the sewage system or the water system, in respect of which the fee or charge is being imposed,

(iii) the amount of the fee or charge, and

(iv) the rationale for imposing the fee or charge. O. Reg. 244/02, s. 12 (6).

Council's Notice By-law 2003-2 further requires that notice of the public meeting be given in a daily newspaper and on the City's web page, in both the English and French languages.

Date: 2005-02-17

**Compliance:**

The attached English language advertisement was published in the *Sudbury Star* and *Northern Life*. The attached French language advertisement was published in the *Le Voyageur*. Also attached, for the information of the Committee, is a screen print of the City's web page indicating that the public hearing and a draft of the proposed by-law were published to the City's web page.

In addition, the first page of the draft by-law By-law 2005-xxG, "BEING A BY-LAW OF THE CITY OF GREATER SUDBURY DEALING WITH THE COLLECTION, REMOVAL, AND DISPOSAL OF WASTE WITHIN THE CITY OF GREATER SUDBURY" is attached. Pages 1-67 of the draft by-law can be found on the following web page:

[http://www.city.greatersudbury.on.ca/content/div\\_wastemanagement/documents/waste%20bylaw%2020051.pdf](http://www.city.greatersudbury.on.ca/content/div_wastemanagement/documents/waste%20bylaw%2020051.pdf).

To the best of the knowledge and belief of the City Clerk no person and/or organization has, within five days before the scheduled day of the public meeting, given the City Clerk a written request for notice of the passing of the by-law containing a return address. At the close of the Agenda no person has requested to speak at the Priorities Committee regarding this matter.

Attachments.



## **Notice - Passing of Waste Management By-law, including Fees**

As required by the Municipal Act, 2001 and Regulations thereunder and the City's Notice By-law, Notice is given that the Council of the City of Greater Sudbury intends to pass on February 23, 2005, a consolidated version of the City's Waste Management By-law. This By-law imposes fees for the provision of certain waste management services in order to recover part of the cost of providing such services. This By-law will **NOT** increase any fees or charges currently in place in the City and will **NOT** implement any new fees or charges, in addition to those currently being charged by the City.

A public meeting will be held on February 23, 2005 at 7:00 p.m. in Council Chambers. Any person wishing an opportunity to make a presentation in respect to the waste management fees must contact the City Clerk's Office, 671-CITY(2489), Ext. 2471, no later than 4:00 p.m., February 11, 2005.

A copy of the draft By-law which includes an identification of the services and fees charged can be viewed on the City's website at [www.greatersudbury.ca](http://www.greatersudbury.ca) under "Public Notices" or can be viewed at the City Clerk's Office during the City's usual office hours at no cost. For further information, please contact the Waste Hotline at 673-BLUE (2583), Monday to Friday, 8:30 a.m. to 4:30 p.m.

### **Statutory Notices**

The Municipal Act, 2001 requires the City to provide notice to the public of its intention to pass certain by-laws, the holding of certain required public meetings, and of other matters. Schedule "A" of By-Law 2003-2 sets out the form, manner and times the notice shall be given, unless specified by the Municipal Act, 2001, another Act or a regulation, or, if Council directs that other public notice is to be given. The notice requirements include posting on the City's web page at [www.greatersudbury.on.ca](http://www.greatersudbury.on.ca)

### **Personal Information**

Personal Information (written and oral submissions) received by the City of Greater Sudbury is collected under the authority of the City of Greater Sudbury Act, 1999 and the Municipal Act, 2001, and will be used to process public comment received in response to this Public Notice and may become part of a public record. Questions about the collection of this information may be directed to Ms. Janet Veale, Freedom of Information Corporate Records Coordinator, City Clerk's Office, 2nd Floor, Tom Davies Square, 200 Brady Street, Sudbury, Ontario P3A 5K3, telephone: 705-671-2489, extension 2476; fax: 705-671-8118, email: [janet.veale@greatersudbury.ca](mailto:janet.veale@greatersudbury.ca)

## **Avis - Adoption du règlement sur la gestion des déchets, y compris les frais**

Comme l'exigent la Loi de 2001 sur les municipalités et les règlements qui en découlent ainsi que le règlement sur les avis de la Ville, par la présente, on donne avis que le Conseil de la Ville du Grand Sudbury a l'intention d'adopter, le 23 février 2005, une refonte du règlement sur la gestion des déchets de la Ville. Ce règlement impose des frais pour la prestation de certains services de gestion des déchets afin de recouvrer une partie du coût de la prestation de tels services. Ce règlement NE fera PAS augmenter les frais actuellement en cours dans la Ville et il NE mettra PAS en oeuvre de nouveaux frais en plus de ceux que la Ville exige actuellement.

Une réunion publique aura lieu le 23 février 2005 à 19 h dans la Salle du Conseil. Toute personne désirant avoir la possibilité de faire un exposé au sujet des frais de gestion des déchets doit communiquer avec le bureau du greffier municipal, 671-CITY(2489), poste 2471, au plus tard le 11 février 2005 à 16 h.

Vous pouvez consulter un exemplaire de l'ébauche de règlement qui inclut la désignation des services et des frais exigés dans le site Web de la Ville à l'adresse [www.grandsudbury.ca](http://www.grandsudbury.ca) sous « Avis publics » ou au bureau du greffier municipal pendant les heures normales de bureau de la Ville et ce, sans frais. Pour plus de renseignements, veuillez composer le numéro de la ligne Info-déchets, soit le 673-BLUE (2583), du lundi au vendredi, de 8 h 30 à 16 h 30.

### **Avis prévus par la loi**

La Loi de 2001 sur les municipalités prévoit que la Ville doit donner avis au public de son intention d'adopter certains règlements municipaux, de la tenue de certaines réunions et assemblées publiques prescrites et d'autres sujets. L'annexe A du Règlement 2003-2 fixe la forme, la manière, les dates et les heures afin de donner ces avis, à moins que ne le stipule la Loi de 2001 sur les municipalités, une autre loi ou un règlement, ou à moins que le Conseil municipal ne décide de donner d'autres avis publics. L'avis doit aussi être affiché sur le site Web de la Ville : [www.grandsudbury.ca](http://www.grandsudbury.ca)

### **Renseignements personnels**

Les renseignements personnels (observations écrites et orales) que reçoit la Ville du Grand Sudbury sont recueillis en vertu de la *Loi de 1999 sur la Ville du Grand Sudbury* et la *Loi de 2001 sur les municipalités*, et ils serviront à traiter les commentaires publics reçus en réponse au présent Avis public. Ils pourront faire partie d'un document public. Vous pouvez adresser toutes questions au sujet de la collecte de ces renseignements à Mme Janet Veale, coordonnatrice de l'accès à l'information et des dossiers corporatifs, Bureau du greffier municipal, 2<sup>e</sup> étage, Place Tom Davies, 200, rue Brady, Sudbury On P3E 5K3, téléphone : (705) 671-2489, poste 2476; télécopie : (705) 671-8118, courriel : [janet.veale@grandsudbury.ca](mailto:janet.veale@grandsudbury.ca)

DRAFT

**BY-LAW 2005-\*\*G**

**BEING A BY-LAW OF THE CITY OF GREATER SUDBURY  
DEALING WITH THE COLLECTION, REMOVAL, AND DISPOSAL  
OF WASTE WITHIN THE CITY OF GREATER SUDBURY**

**WHEREAS** Council of the City of Greater Sudbury wishes to enact a By-law for the purposes of regulating the collection, removal and disposal of waste;

**AND WHEREAS** fees for the services are included in the By-law;

**AND WHEREAS** the City of Greater Sudbury held a public meeting on \*\*, at Tom Davies Square, 200 Brady Street, Sudbury, in accordance with Regulation 244/02 under the *Municipal Act, 2001*;

**AND WHEREAS** notice of the said public meeting was given in accordance with the City's Notice By-law, 2003-2, as amended and in accordance with Regulation 244/02 under the *Municipal Act, 2001*;

**NOW THEREFORE** the Council of the City of Greater Sudbury enacts as follows:

**SHORT TITLE**

1. This By-law shall be known and may be cited as the "Waste Management By-law".

**INTERPRETATION**

2. In this By-law:

"approved container" means a garbage container, a yard trimmings container or a recycling container;

"ashes" means the solid residue of any household fuel after such fuel has been consumed by fire and includes soot, but shall not include ashes which accumulate as a result of building construction or demolition;

"bulky item" has the meaning set out on Schedule "A";



## WEB NOTICE

The screenshot shows a web browser window displaying the City of Greater Sudbury website. The browser's address bar shows the URL <http://www.city.greatersudbury.on.ca/pubapps/publicnotices/index.cfm?lang=en&pg=dtl&id=61>. The website header includes the City of Greater Sudbury logo and navigation links for Business, City Hall, Residents, and Tourism. A search bar is located in the top right corner.

The main content area is titled "Public Notices" and features a search box with the text "Search Public Notices" and a "Search" button. Below the search box, the notice is dated "Entered on Thursday, January 27, 2005" and has a "Deadline of Friday, February 11, 2005". The notice title is "Notice - Passing of Waste Management By-law, including Fees".

The notice text states: "As required by the Municipal Act, 2001 and Regulations thereunder and the City's Notice By-law, Notice is given that the Council of the City of Greater Sudbury intends to pass on February 23, 2005, a consolidated version of the City's Waste Management By-law. This By-law imposes fees for the provision of certain waste management services in order to recover part of the cost of providing such services. This By-law will NOT increase any fees or charges currently in place in the City and will NOT implement any new fees or charges, in addition to those currently being charged by the City."

A public meeting will be held on February 23, 2005 at 7:00 p.m. in Council Chambers. Any person wishing an opportunity to make a presentation in respect to the waste management fees must contact the City Clerk's Office, 671-CITY(2489), Ext. 2471, no later than 4:00 p.m., February 11, 2005.

A copy of the draft By-law which includes an identification of the services and fees charged can be viewed at the City Clerk's Office during the City's usual office hours at no cost. For further information, please contact the Waste Hotline at 673-BLUE (2583), Monday to Friday, 8:30 a.m. to 4:30 p.m.

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The Municipal Act, 2001 requires the City to provide notice to the public of its intention to pass certain by-laws, the holding of certain required public meetings, and of other matters. Schedule "A" of By-Law 2003-2 sets out the form, manner and times the notice shall be given, unless specified by the Municipal Act, 2001, another Act or a regulation, or, if Council directs that other public notice is to be given. The notice requirements include posting on the City's web page at [www.greatersudbury.ca](http://www.greatersudbury.ca)

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This notice appeared in the following media:  
Sudbury Star | Le Voyageur  
Northern Life |

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The right sidebar contains "Related Links" (Home Page, Previous Page, Français) and "Quick Search" (Find, FIND WHAT, SEARCH IN, OCCURRING, LANGUAGE). The bottom sidebar lists "Online Services" including Pay Parking Tickets Online, Register for Leisure Programs, Sudbury Arena Event Tickets, City Services A to Z, Frequently Asked Questions (FAQ), Mapbook - Street Maps, Jobs at the City, Tenders and Results, By-laws Online, Road Reports, and Comment on our new website.

Source:

<http://www.city.greatersudbury.on.ca/pubapps/publicnotices/index.cfm?lang=en&pg=dtl&id=61>