



CIF Project # 1092 – Municipal Enforcement Strategies in an IPR Environment

Background

Ontario is transitioning its blue box program to an Individual Producer Responsibility (IPR) framework which will transfer full financial and operational responsibility for residential recycling programs from municipalities to producers.

Research was carried out to understand how municipalities could help support a seamless integration of the new producer led systems with the other waste programs over which the municipality is responsible for delivering (e.g., garbage & organics). The CIF worked in partnership with the Regional Public Works Commissioners of Ontario's (RPWCO) Waste Subcommittee to oversee the work.

The work was carried out by EcoCompass Inc. along with support from Green Earth Strategy and Love Environment. The findings were presented at CIF's Ontario Recycler Workshop in October 2020.

Summary of Results

The research considered the basis of municipal powers that can support and encourage proper streaming of materials into their appropriate waste diversion program. It looked at the various provincial regulations that impact municipal waste programs to understand the extent and limitations of municipal powers. It considered the Municipal Act (MA), the City of Toronto Act (COTA), the Environmental Protection Act (EPA), and the Waste Free Ontario Act (WFOA).

The research focused on approaches that are complementary to the Regulation including options that could be implemented at the local level to address the issues that would promote harmonization between the municipal led programs (e.g., garbage and organics) and the producer led blue box program. Options included bylaws and policies to aid in redirecting residents set out practices, and ensuring program materials are correctly sorted. Legal precedent supporting the recommended municipal action was also considered where possible, as were examples of bylaws in place in Ontario and BC.

Financial

The total cost of the project supported by CIF was \$51,493.

Learnings

Consider ownership. The issue of ownership can help determine if responsibilities for the material management resides – with the resident, with the producer, or with the municipality. This is an

important consideration when determining how best to integrate collection systems led by two different parties, in this case – the municipality for garbage and organics and the producers for fully stewarded programs like blue box.

Using by-laws. Municipalities can utilize by-laws to support the province in a seamless transition and aid in educating and incentivizing residents to improve set out practices. Key takeaways to consider regarding the extent and limitations of bylaws include that they:

- are intended to be a complement to meeting Provincial and environmental goals
- can be effective, but also require significant effort & consultation
- are subject to legal challenges

Cooperation and Communication. It is critical to plan carefully and to ensure complete cooperation and communication between the producer led system operators and municipal led system operators.