



Review Framework

It has been 11 years since the Municipality's Collection, Storage and Disposal of Waste By-Law (No. 8) has been reviewed and our residential and commercial landscape has evolved significantly since then. For this reason, the Municipality is updating its Waste By-Law to make it more responsive to our residents and businesses.

By-Law reviews are complex, technical and time-consuming, requiring a high level of attention to detail and a thorough understanding of:

- The community's needs;
- Council's priorities;
- Applicable technologies and trends;
- Potential gaps in the existing by-law;
- New or amended legislation; and
- Resource implications of implementation.

Project Scope

The Waste By-Law Review Project will review and update the Collection, Storage and Disposal of Waste By-Law, considering the:

- frequency of collection
- disposal limits
- use of black bags
- collection of commercial waste
- collection of industry specific waste (i.e. seafood, tourism, RV)
- offering of special collections (i.e. metal, wood, Christmas tree, spring/fall, bulky items)
- fines for discouraging improper separation and disposal

By-Law Review Process

Appendix A illustrates, in detail, the process involved in the by-law review. It highlights the six phases that include a total of 36 key steps required to conduct the review and amendment of the current by-law.

The general phases are:

1. Scoping

The first step involved in this phase is a preliminary identification of key issues involved in the matter, including an assessment of the problems, concerns, developments, or other relevant issues. This phase includes scope setting and identification of stakeholders. Once this has been done, a detailed work plan can be developed along with a communications plan, if necessary.

2. Research and Analysis

The first step of this phase is to review the legislative history of the matter through an examination of the existing relevant internal by-laws and policies, as well as any applicable legislation and regulations at other levels of government. Once this has been completed, a further issues and gaps analysis can be undertaken. Jurisdictional or environmental scans and benchmarking reviews can be undertaken to inform future work. A review of applicable technology and trends, as well as any legal issues and legislative requirements or changes impacting the issue may also occur at this stage. Consideration of dependencies with other by-laws, departments, and external agencies must be taken into consideration in advance of developing the draft options for regulations, which also form part of this phase of the review. This phase will provide evidence needed to inform recommendations for new regulations or amendments, or other approaches, to the issues identified in the review.

3. Consultation

As part of the consultation phase, consultation documents are prepared to collect input from stakeholders and the public. Both internal and external consultation activities are conducted, as required. Methods may include use of an online survey, public opinion research, focus groups, community meetings, among others. Staff will also consult internally to ensure that any enforcement issues related to the review are thoroughly vetted and reviewed. Once this has been completed, a summary of findings from the engagement activities is prepared and analyzed to further inform the by-law review and recommendations.

4. Development of New By-Law and Associated Report

This phase includes the formulation of the recommended regulations and by-law amendments based on the evidence gathered in the previous phases of the review, including all relevant research, input and feedback, as well as public and stakeholder consultations. Input from the Solicitor, Municipal Clerk and other Departments of the Municipality having required expertise, is obtained on the proposed amendments and regulations as required. Once regulatory proposals are developed, staff will prepare a report and final recommendations.

5. Committee and Council

The first step of this phase includes briefing Members of Council, as required, and preparing any required supporting documents such as briefing notes, communications products and presentations. The final step in this phase is to obtain Committee and Council approval.

6. Implementation

The final phase includes proceeding with required updates to administrative forms, guidelines, policies, and public communication and education materials, as required, to implement the new or revised regulations. In addition, an official copy of the new by-law should be prepared as well as developing any applicable set fine applications for approval by the Province. Relevant general information pages on the website should also be updated. During this phase, implementation details should be communicated with stakeholders as well as completing any required follow up arising from Committee or Council. The final step of this phase is to address any technical issues or amendments that may be required.

By-Law Review Webpage

As a way to maintain transparency and inform the public about the review, staff will establish a webpage on the Municipality's website. This webpage will provide a schedule of the ongoing review, including high level updates on its status based on the key phase of the review. The webpage will also provide links to public consultation information, project pages, related reports for the review and other information relevant to the review including the final outcome. This webpage would be regularly updated by staff responsible for the review.

Overview

This process provides Council and staff with the overall roadmap for conducting the by-law review. It provides a sound context in which to make decisions while exercising professional judgement about what is appropriate for each situation to ensure the best possible public policy development and the best outcome.

Each phase includes multiple steps that are integral to ensuring the review results in a clear, relevant, effective and enforceable by-law that reflects the values and needs of the community and Council's priorities.

Careful analysis and balancing of diverse interests are key components of the consultation process. By-law reviews increasingly tend to attract intense public interest and, in some cases, may be controversial. Residents have come to expect a certain level of engagement, and social media has created both opportunities and challenges in the context of meaningful consultation.

Cross-departmental consultations and approvals are also common and necessary given that many by-laws impact more than one service area.

Where the policy ownership of certain by-law lies with one department and the enforcement and/or administration may rest with another, interdepartmental collaboration is necessary.

Overall, the availability and coordination of resources across multiple departments are essential to ensure that all the relevant views, issues and concerns are taken into account.

Life Cycle



Appendix A

Number	Step
	Scoping Phase
1	Determine that a by-law review is required/timely
2	Determine the scope/extent of the review
3	Identify stakeholders
4	Identify key issues
5	Develop detailed work plan, including steps from scoping to implementation
6	Develop communication plan
	Research and Analysis Phase
7	Review prior history (previous by-laws/by-law amendments, issues, etc.)
8	Analyze issues, gaps and readiness for change
9	Review municipal best practices
10	Review applicable technology and trends
11	Review any legislative requirements/changes impacting the issue
12	Consider dependencies with other by-laws/departments/external agencies
13	Develop draft options
	Consultation Phase
14	Prepare discussion paper(s)/consultation documents
15	Design/implement survey
16	Conduct internal consultations
17	Conduct external consultations
18	Prepare and analyze summary of findings from consultations
	Development of New By-Law and Associated Report Phase
19	Write report/final recommendations based on feedback and consultations
20	Write by-law or drafting instructions
21	Consider financial implications of recommended options
22	Complete legal review
23	Prepare all required charts, maps or diagrams
24	Obtain all internal approvals
	Committee/Council Approval Phase
25	Brief Councillors
26	Prepare presentation
27	Prepare any required briefing notes/FAQs
28	Obtain Committee/Council approval

	Implementation Phase
29	Update forms, guidelines, and relevant general information pages on website
30	Prepare official copy of the new by-law
31	Develop set fine application to the Province
32	Staff training/Public Education
33	Communicate implementation details to stakeholders
34	Complete any follow-up coming from Committee/Council
35	Monitor/enforce the by-law
36	Address any technical issues/amendments