



## REQUEST FOR A DECISION

City Council – April 8, 2024

**To:** Her Worship Mayor Kate Rogers and Members of City Council

**From:** Kyle Rostad, Manager of Procurement and Customer Services

**Date:** April 08, 2024

**Title:** By-law No. W-4 Amendments – Curbside Recycling

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### **ISSUE:**

On July 10, 2023, the Council of the City of Fredericton declined to enter into a service agreement with Circular Materials Atlantic (CMA) and further authorized CMA to manage recycling collection, transport, and processing services for the City of Fredericton under the Provincially mandated Extended Producer Responsibility Program for Packaging and Paper Products.

To complete the transition of responsibilities, amendments need to be made to By-law No. W-4, A By-law to Regulate the Collection and Disposal of Garbage and Other Material before 1 May 2024 to reflect the changes.

### **RECOMMENDATION(S):**

#### **A. Recommendation:**

It is recommended that the following resolution be forwarded to City Council for consideration: BE IT RESOLVED THAT the Council of the City of Fredericton hereby directs and authorizes staff of the Legal Division to prepare a by-law to amend By-law No. W-4, A By-Law to Regulate the Collection and Disposal of Garbage and Other Material to reflect the changes under the Designated Materials Regulation – Clean Environment Act with respect to the provincially mandated Extended Producer Responsibility Program for Packaging and Paper Products and other housekeeping amendments, as appropriate.

**B. Other options:** City Council may choose to direct staff otherwise.

### **SITUATION, BACKGROUND & DISCUSSION:**

#### **SITUATION:**

- a. Current (extant) Direction. In 2021, the Province of New Brunswick amended the *Clean Environment Act's* Designated Materials Regulation (2008-54), which allowed Recycle NB to implement an Extended Producer Responsibility program for packaging and paper products across the province. On July 10, 2023, the Council of the City of Fredericton declined to enter into a service agreement with Circular Materials Atlantic (CMA) and further authorized CMA to manage recycling collection, transport, and processing services for the City of Fredericton under the Provincially mandated program. Staff have briefed Council and the Environmental Stewardship Committee on the details and timeline of the program.
- b. Alignment. N/A this is a provincially mandated service.
- c. Link to CAO goal or inflight. This would align with the CAO goals of Fiscal Stewardship, Regional Leadership, and Environmentally Responsible.
- d. Why is this coming to Council? Why now? The Legal Division requires Council direction to amend By-laws. The transition to the EPR program comes into effect 1 May 2024 for Phase 1 opt-out communities.

**BACKGROUND.** In 2021, the Province of New Brunswick amended the *Clean Environment Act's* Designated Materials Regulation, which allowed Recycle NB to begin working with stakeholders to implement an Extended Producer Responsibility (EPR) program for packaging and paper products. EPR is a policy approach in which producers are responsible for managing the entire lifecycle of their products. Under an EPR program, industry is responsible for paying for the cost of collecting and recycling their products, taking the cost away from taxpayers. Recycle NB identified Circular Material Atlantic (CMA) as their Producer Responsibility Organization and accepted their Stewardship Plan on 5 May 2023. The EPR program will be launched in two phases and Fredericton is included in the first phase to transition.

On July 10, 2023, the Council of the City of Fredericton adopted the following motion: "BE IT RESOLVED that the Council of the City of Fredericton decline to enter into a Master Service Agreement with Circular Materials Atlantic whereby the City would be responsible for the delivery of curbside collection services for residential recyclable materials AND further authorizes Circular Materials Atlantic (CMA) to manage recycling collection, transport and/or processing services for the City of Fredericton under the Provincially mandated Extended Producer Responsibility Program for Packing and Paper Products".

To complete the transition of responsibilities, amendments need to be made to By-law No. W-4 A By-law to Regulate the Collection and Disposal of Garbage and Other Material.

#### **DISCUSSION.**

The City is changing its curbside recycling collection services as of May 1, 2024. Housekeeping amendments need to be made to By-Law No. W-4 to reflect that change.

**FINANCIAL:** There are no financial considerations at this time.

**LEGAL:** In order to give effect to the requested changes By-law No. W-4, A By-law to Regulate the Collection and Disposal of Garbage and Other Material must be amended.

**COMMUNICATIONS:** The Division has determined that there are no communication considerations associated with this matter. Neither Corporate nor Strategic Communications was consulted with respect to this administrative report.

**CLIMATE LENS:** Amendments to By-law No. W-4 will result in no change in GHG emissions or resilience. With respect to the EPR program, collection will continue status quo for the time being, therefore, there will be no change in emissions or resilience from the program. The goal of this program is to increase waste diversion rates and improve the recyclability of materials, which could lead to reduced emissions from landfilled waste in the future.

**Does this proposal move the City of Fredericton closer to its greenhouse gas (GHG) emissions reduction targets of 50% reduction by 2030 and net-zero by 2050 in line with the City's Corporate Energy & Emissions Plan and/or Community Energy Emission Plan?**

- ☐ Moves us towards GHG reduction targets
- ☒ No change in GHG emissions
- ☐ Moves us away from GHG targets but there are trade-offs with other Council or Municipal Plan priorities (*identify which priorities*)

**Does this proposal improve the City of Fredericton's resilience to the impacts of climate change in line with our Climate Change Adaptation Plan?**

- ☐ Moves us towards climate resilience
- ☒ No change in resilience
- ☐ Moves us away from climate resilience but there are trade-offs with other Council or Municipal Plan priorities (*identify which priorities*)

**SPOKESPERSON:** Jillian Hudgins, Environmental Strategist and Program Manager  
Kyle Rostad, Manager of Procurement and Customer Services

**Prepared by:** Jillian Hudgins, Environmental Strategist and Program Manager  
Kyle Rostad, Manager of Procurement and Customer Services

**Approved by:** Michael Baldwin, Director – Corporate Services