

CONSOLIDATION UPDATE: NOVEMBER 9, 2022

BIO-MEDICAL WASTE SHARPS BY-LAW
NO. 6001/92

**A By-law of THE CITY OF WINNIPEG relating to
the handling and disposal of biomedical waste
sharps.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

PART 1
SHORT TITLE

- 1.1 This By-law may be cited as the **"Biomedical Waste Sharps By-law"**.

PART 2
DEFINITIONS

- 2.1 **"Biomedical Waste Sharps"** means sharps that have been in contact with human or animal tissue, blood, secretions or excretions, generated by human or animal health care facilities, mortuaries, morgues, medical or veterinary research and teaching establishments, health care teaching establishments, other teaching establishments, clinical testing or research laboratories, and facilities involved in the production or testing of vaccines.
- 2.2 **"Carrier Permit"** means a current permit issued by the Director.
amended 8162/2002
- 2.3 **"Certificate of Treated Biomedical Waste Sharps"** means a certificate issued under this By-law in respect of treated biomedical waste sharps.
- 2.4 **"City"** means The City of Winnipeg.
amended 8162/2002
- 2.5 **"Director"** means the Director of Water and Waste for the City of Winnipeg or an employee of the City to whom the Director has delegated authority to enforce or administer all or part of this By-law.
amended 8162/2002
- 2.6 **"Officer of Waste Generating Facility"** means that person delegated the responsibility to ship treated biomedical waste sharps and has been trained in the terms and conditions of this By-Law by the employer.

"Permitted Carrier" means any person engaged in the transport of treated biomedical waste sharps to a City landfill whether or not for hire or reward and who holds a valid carrier permit.

2.8 *repealed 8162/2002*

2.9 **"Sharps"** means needles, syringes, blades, laboratory glass, or other such objects capable of causing punctures or cuts.

2.10 **"Sharps Container"** means a container that has the following characteristics:

- (i) a tightly secured lid
- (ii) is puncture resistant
- (iii) maintains its physical integrity for use and should not take on any of the characteristics of the material stored in it following autoclaving, steam sterilization, or other disinfection or treatment process
- (iv) the Director may order alterations respecting the type of sharps container used.

amended 8162/2002

2.11 **"Treated Biomedical Waste Sharps"** means biomedical waste sharps that have undergone a disinfection or treatment process and is documented and labelled as such. The treatment shall be by a process recommended by the Guidelines for the Management of Biomedical Waste in Canada prepared by the Canadian Standards Association under the direction of the Canadian Council of Ministers of the Environment (February 1992; CCME EPC-WM-42E) and as may be amended from time to time. The Director may approve alternate treatment processes.

PART 3 ADMINISTRATION

3.1 The Director and his or her delegates may conduct inspections and take steps to administer and enforce this By-law or remedy a contravention of this By-law in accordance with *The City of Winnipeg Charter* and, for those purposes, have the powers of a designated employee under *The City of Winnipeg Charter*.¹

amended 8162/2002

3.2 This By-law is applicable but is not limited to the following facilities that may generate biomedical waste sharps:

- (a) Hospitals
- (b) Nursing homes and extended health care facilities
- (c) Public health units
- (d) Physicians offices and clinics
- (e) Dental offices and clinics
- (f) Veterinary offices and clinics
- (g) Medical research and medical schools

- (h) Clinical testing and research labs
- (i) Mortuaries and funeral homes
- (j) Coroners offices
- (k) Nursing offices
- (l) Blood banks and blood collecting agencies
- (m) Universities, colleges, and school
- (n) Acupuncture clinics, tattoo salons, and skin-care facilities performing electrolysis

PART 4

PERMITS, DOCUMENTATION AND CERTIFICATION

4.1 Carriers

Any Carrier of certified treated biomedical waste sharps within the City of Winnipeg must obtain a Carrier permit.

4.2 Carrier Permits

Upon application, the Director may issue a carrier permit if sufficient evidence is provided by the applicant to satisfy the Director that the personnel, equipment and vehicles proposed for the transportation of biomedical waste sharps are appropriate for this purpose.

amended 8162/2002

4.3 Certificate and Documentation

A Certificate of Treated Biomedical Waste Sharps shall be in the form prescribed by Schedule A, or in a form approved by the Director and signed by an Officer of the Waste Generating Facility.

amended 8162/2002

4.4 Analytical Methods

Should be consistent with the Code of Practice for the Management of Biomedical Waste in Canada, 1991, as amended from time to time.

4.5 Treatment Documentation

Upon request by the Director, data to support or demonstrate the effectiveness of any treatment or disinfection process shall be made available to the Director by any person who has signed a Certificate of Treated Biomedical Waste Sharps. Treatment documentation must be kept available for a period of one year from the date of shipping the treated biomedical waste sharps for landfilling.

amended 8162/2002

4.6 Permit Fee

No Carrier permit shall be issued by the Director until the applicant has paid the fee established by Council.

amended 156/2011

4.7 Duration of Carrier Permit

The Director is authorized to establish the duration of a carrier permit and the terms and conditions of its renewal.

amended 8162/2002

amended 156/2011

4.8 Suspension of Carrier Permit

The Director may suspend a carrier permit immediately for a period of up to 30 days if the Director has reasonable grounds to believe that the permit holder has violated this By-law or otherwise has transported biomedical waste sharps in an unsafe manner, but must reinstate the permit as soon as he or she no longer has reasonable grounds for this belief.

added 8162/2002

4.9 Revocation of Carrier Permit

The Director may at any time, and must within 30 days of suspending a carrier permit, hold a hearing to determine whether a carrier permit should be revoked. A carrier permit may not be revoked without a hearing.

added 8162/2002

4.10 Revocation Hearing Procedure

In conducting the revocation hearing, the Director must:

- a) ensure that the holder of the carrier permit has been given at least five days notice of the hearing by personal service, or by registered mail, delivery or facsimile transmission addressed to the address provided by the permit holder when applying for the permit;
- b) allow the permit holder to be represented by counsel, to adduce evidence and to cross-examine witnesses.

added 8162/2002

4.11 Decision to Revoke Permit

The Director may revoke a carrier permit if he concludes that the permit holder poses an unacceptable risk for the future transportation of biomedical waste sharps.

added 8162/2002

4.12 Effect of Revocation

A person whose permit has been revoked is not eligible to apply for another permit for a period of 1 year.

added 8162/2002

PART 5 COLLECTION, DISPOSAL AND HANDLING

5.1 Collection and Disposal

- (a) Treated biomedical waste sharps shall be stored in suitable containers and is not to be mixed with other garbage or refuse for collection and disposal. The Director may inspect and order alterations to such containers.
- (b) Biomedical waste sharps shall be transported in a Sharps container.
- (c) No person other than a Permitted Carrier shall collect treated biomedical waste sharps for transportation to a City disposal site.
- (d) Treated biomedical waste sharps shall not be transported to a City landfill in a vehicle concurrently transporting untreated biomedical waste sharps.
- (e) Treated biomedical waste sharps shall be deposited for disposal in such places and in such manner and at such times as may be directed by the Director and not otherwise.
- (f) No person shall deposit any treated biomedical waste sharps at a City landfill without paying disposal charges prescribed by the City and producing a signed Certificate of Treated Biomedical Waste Sharps.
- (g) Biomedical waste sharps that are not treated biomedical waste sharps are prohibited from disposal at a City landfill or any other City facility.

PART 6 ENFORCEMENT AND PENALTIES

6.1 Compliance Orders

Any order to remedy a contravention of this By-law must be issued in accordance with *The City of Winnipeg Charter*.¹

amended 8162/2002

6.2 Address for Service of Documents

Orders and decisions made pursuant to this By-law must be served in accordance with The City of Winnipeg Charter and where an address for sending a notice, order, decision or other document is required, one of the following shall be used:

- (a) if directed to a carrier, the address provided by the carrier when applying for the carrier permit may be used; and
- (b) if directed to a waste generating facility, the address of the waste generating facility may be used. ²
amended 8162/2002

6.3 Appeals

Subject to payment of an appeal fee established by Council, an appeal from an order to remedy a contravention of this By-law or a decision of a designated employee may be made in accordance with *The City of Winnipeg Charter* to the Standing Policy Committee on Public Works. ³

amended 8162/2002; 156/2011; 106/2015; 137/2022

PART 7 SEVERABILITY, SCHEDULES AND EFFECTIVE DATE

7.1 Severability

If any provision of this By-law is held to be invalid by any court of competent jurisdiction the remaining provisions of this By-law shall not be invalidated.

7.1 Schedules

Schedules A and B, hereto are hereby declared to be and to form part of this By-law.

7.2 Effective Date

This By-law shall come into force and take effect upon the passing thereof.

DONE AND PASSED in Council assembled, this 8th day of July, A.D. 1992.

1 [See sections 180 to 184 and sections 116 and 117 of *The City of Winnipeg Charter* for information about the powers given to designated employees to issue compliance orders and how they must be served.](#)

2 [See sections 116 and 117 of *The City of Winnipeg Charter* for information about how to serve orders, decisions and other documents.](#)

3 [See sections 189 and 121 of The City of Winnipeg Charter for information about appeals, including information about the time limit for appeals and how appeals are to be filed.](#)

"WHOM TO CONTACT" GUIDE

repealed 8162/2002

THIS IS SCHEDULE A TO BY-LAW NO. 6001/92 OF THE CITY OF WINNIPEG

CERTIFICATE OF TREATED BIOMEDICAL WASTE SHARPS

This is to Certify this waste has been treated and packaged by methods that conform to good Biomedical Waste Management practice as referred in Section 2.11 and 5.1(a) and (b) of the City of Winnipeg Biomedical Waste Sharps

By-Law_____.

Lot/Batch #:

Number of Containers:

Description of Containers:

Date of Treatment:

Treatment Process used:

Date of Transport:

Permitted Carrier (Name):

Permitted Carrier #:

Officer of Waste Generating Facility

Title

Date

Received for transport by:

Signature of Carrier

Date

THIS IS SCHEDULE B TO BY-LAW NO. 6001/92 OF THE CITY OF WINNIPEG

repealed 156/2011