

GARBAGE COLLECTION BYLAW

BYLAW NO. 367 – 19 being a Bylaw of the Summer Village of Gull Lake, in the Province of Alberta, to regulate the collection, removal and disposal of waste materials.

WHEREAS, the Municipal Government Act the Revised Statutes of Alberta, 2000 chapter M-26.1, Part 2, Division 1, and amendments thereto, provides for the passing of a By-law by a Municipal Council to establish rules and regulations related to services provided by or on behalf of the municipality such as the collection and disposal of garbage and refuse from the dwellings within the Summer Village;

NOW THEREFORE, the Council of the Summer Village of Gull Lake pursuant to the authority conferred upon it by the Province of Alberta enacts as follows:

SECTION 1 – TITLE

1.1 This Bylaw shall be known as the “Garbage Collection Bylaw”.

SECTION 2 –DEFINITIONS

2.1 In this Bylaw:

- (a) “Ashes” means the residue left after the combustion of any substance.
- (b) “Authority” means the Council of the Summer Village of Gull Lake and their designated officers.
- (c) “Administrator” means the individual properly designated by the Council of the Summer Village to act as the Chief Administrative Officer (CAO).
- (d) “Collector” means the person, persons or contractor appointed by the Summer Village for the purpose of collecting waste.
- (e) “Construction Refuse” means all drywall, rugs, flooring materials, roofing materials, plumbing materials, cardboard, concrete, metal, gravel, asphalt, packaging containers, wood, or other such material which may result from the construction or demolition of any building or other work.
- (f) “Council” means the Council of the Summer Village of Gull Lake.
- (g) “Dwelling” means any building or place including the land upon which the premises is located which is occupied or used as a place of abode other than a store, motel or campground. Dwelling does not include a recreational vehicle such as a travel trailer or motor home.

(h) "Designate" means a person, or organization that assumes the role and or responsibility of managing the waste collection function, having been so designated by the Administrator or Council.

(i) "Garbage" means all table and kitchen refuse; all waste foods whether of animal or vegetable origin and similar waste or decomposing matter and includes broken dishes, tin containers, paper and glass , and shall not include industrial or commercial wastes, yard refuse such as grass clippings or tree trimmings or dead animals.

(j) "Garbage Container or Receptacle" means a container designed or used for containing garbage awaiting collection and disposal, and shall be of a rigid, permanent material, but does not include plastic garbage bags.

(k) "General Refuse" means all plastic, ceramic, glass, rags, cast-off clothing, waste paper, fruit containers, packaging and other materials not able to decompose.

(l) "Occupant" means any person other than the registered Owner who is in possession of the property, including, but not restricted to, a lessee, licensee, tenant or agent of the Owner.

(m) "Owner" means the registered Owner of the property under the Land Titles Act, R.S.A. 2000, c.L-4, as amended or replaced and repealed from time to time; or a person who has purchased or otherwise acquired the property, whether directly from a previous Owner or from another purchaser, and has not yet registered ownership; or a person listed as Owner of the property on the current assessment role.

(n) "Person" means any individual, corporation, society, association, partnership or firm having charge or control of a Premise.

(o) "Premise or Premises" means all buildings including parcels of land on which they are located to which collection services are provided pursuant to this Bylaw.

(p) "Property" means real property and includes land together with all improvements that has been so affixed to the land as to make them in fact and in law a part thereof.

(q) "Summer Village" means the Summer Village of Gull Lake.

(r) "Yard Waste" means waste that is organic matter formed as a result of gardening or horticultural pursuits and includes grass, leaves, tree and hedge cuttings and clippings, tree stumps, tree trunks, branches, roots, and turf.

(s) "Waste" and "Waste Materials" means any discarded or abandoned organic or inorganic material which the Owner or possessor thereof does not wish to retain or is not retained for any useful purpose, and shall include Garbage, General Refuse, and Yard Waste.

(t) "Waste Collection Services" means the services provided pursuant to this Bylaw.

SECTION 3 – RESPONSIBILITIES OF THE SUMMER VILLAGE

3.1 The Summer Village Administrator is hereby authorized to do all things necessary in order to fulfill the responsibility and duties under this bylaw, including seeking solid waste management Collectors and negotiating suitable services and rates that will be presented to Council for approval.

3.2 The Summer Village may enter into an exclusive contract or contracts with any person or Corporation meeting their requirements for the collection of the whole or part of the waste within the Summer Village.

3.3 The Summer Village shall collect the garbage and general refuse once per week at a time and day determined by the Summer Village.

3.4 The Summer Village will only be responsible for the removal of garbage and general refuse. Owners or occupants are responsible for the disposal of all other yard and waste materials.

3.5 The Summer Village is not obliged to collect garbage and general refuse unless the Owner, Occupant, Dwelling, Premise or Property complies with the provisions of this Bylaw.

SECTION 4 - GENERAL REQUIREMENTS

4.1 Waste shall be stored or placed only on the Premises from which it is generated unless it is stored or placed on other Premises with the consent of the Owner or Occupant of those other Premises.

4.2 The collection services provided by the Summer Village are restricted to Owners and Occupants of the Summer Village or their guests.

4.4 No Person shall interfere with the Summer Village's collection and disposal of waste pursuant to this Bylaw or impede access to collection locations.

4.5 A Person, other than a Collector or an Owner or occupant that has placed the waste in the garbage container or receptacle, shall not interfere with, or add, or disturb the contents.

4.6 No garbage collection shall be made from the inside of any dwelling.

4.7 The Summer Village and any Owner or Occupant of a dwelling or other premises or property may deliver any designated waste to a location designated by the Summer Village for disposal.

4.8 Only five (5) plastic bags of the type designed for the disposal of garbage or general refuse are allowed per weekly pick up.

SECTION 5 – RESPONSIBILITIES OF SUMMER VILLAGE OWNERS OR OCCUPANTS

5.1 The Owner or Occupant of every dwelling shall provide sufficient garbage containers or receptacles to contain the garbage generated from those premises during the period between garbage collections.

5.2 No person shall place or keep any garbage container or receptacle upon any street in the Summer Village except as specifically provided in this bylaw.

5.3 Every occupant or owner shall maintain and keep in good condition sufficient garbage containers or receptacles as required by this bylaw for all garbage upon the premises owned or occupied by him/her.

5.4 Every occupant or owner or other person shall dispose of garbage upon the premise owned or occupied by him/her by placing or causing the same to be placed in a garbage container or receptacle maintained for that purpose.

5.5 The Owner or Occupant in charge of a dwelling or other building shall at all time ensure that garbage containers, or other receptacles provided for the purpose, are not allowed to spill over or accumulate on any land or street or adjoining public or private property. Every such person shall be held responsible for any violation of this section regardless of the cause of such violation. Failure to contain garbage in approved containers may result in a fine.

5.6 The Owner or Occupant of a dwelling or other premises shall be responsible to prevent the accumulation of garbage and refuse at a dwelling or other premises to the point where an unsanitary, unsafe or unsightly condition develops.

5.7 All loose paper, paper boxes, straw and other packing or waste material from buildings with the said municipality and all loose grass, weeds, twigs and other combustible matter shall not be allowed to accumulate on any premises within the municipality, but shall be so disposed of as not to create a nuisance and any person who fails to comply with the provisions of this section shall be liable to the penalties provided for a breach of this Bylaw.

5.8 All garbage from such premises shall be placed in garbage containers or receptacles for collection at a location as close as possible to the traveled portion of an adjacent street but not in a location as to interfere in any way with vehicle or pedestrian traffic.

5.9 Where garbage containers are placed for collection within any structures, fence or other enclosure, direct access to the garbage containers from the street shall be provided in every case.

5.10 Every Owner or Occupant shall ensure that a cover is kept securely over the mouth of all such containers or receptacles to prevent access by animals and to minimize emission of odour.

5.11 Notwithstanding any other provisions of this bylaw, plastic bags of the type designed for the disposal of garbage or general refuse may be used for the disposal of garbage under the following conditions:

(a) Plastic bags containing garbage shall be kept in a garbage container or receptacle.

(b) Plastic bags containing garbage shall be in good repair, and securely closed when deposited for pick-up.

(c) Plastic bags, when filled, shall weigh no more than thirty-five (35) pounds or sixteen (16) kilograms, and shall be of sufficient strength to be capable for lifting of contents.

5.12 The Summer Village shall not be required to remove any garbage or general refuse from any container or receptacle which exceeds thirty-five (35) pounds in weight.

5.13 Repairs to garbage containers or receptacles resulting from neglect and the associated costs resulting from acts of vandalism and malicious intent and damage will be the Owner's or Occupant's responsibility. Lost, stolen or misplaced garbage containers or receptacles will also be the Owner's or Occupant's responsibility.

5.14 Owners or Occupants will place only bagged garbage or general refuse into the garbage containers or receptacle.

5.15 The garbage containers or receptacle is not to be obstructed or blocked by any object.

5.16 The Owners or Occupants shall not place loose waste or garbage bags adjacent to the garbage containers or receptacle.

5.17 The following shall not be placed in garbage bags, garbage containers or receptacles:

- (a) banned, toxic, volatile, flammable, explosive, bio-medical, biological or general medical waste;
- (b) any highly combustible or explosive waste such as gun powder, dynamite, motion picture film, or hot coals or ashes;
- (c) industrial waste;
- (d) oilfield waste, dead animals or animal parts;
- (e) concrete or similarly heavy objects;
- (f) automobile waste including automotive parts, tires and batteries;
- (g) used oils and oil filters;
- (h) building materials and furniture;
- (i) liquids, paint or solvent, or any other waste materials designated as special waste by regulatory governing agencies, operating permits or the designated disposal site;
- (j) propane tanks;
- (k) electronic equipment such as stereos, computers and monitors;
- (l) material that may be hazardous to the collector.

5.18 A Person may place sharp objects in the garbage container or receptacle if contained in a puncture resistant, non-breakable container with a tight fitting lid.

5.19 Owners and Occupants of dwellings or other premises shall be responsible to dispose of, in a proper manner at an approved site, any waste for which the Summer Village does not accept responsibility for collection and disposal.

5.20 No person shall deposit any dead animal, manure, excreta, refuse, garbage, liquid waste or other filth upon or onto any street, ditch, lane, road allowance, or in any park reserve or public place or watercourse or body of water within the boundaries of the Summer Village of Gull Lake except as otherwise authorized.

5.21 No Owner or Occupant shall burn or attempt to burn any garbage or refuse within the Summer Village.

SECTION 6 – TRANSPORTATION OF WASTE

6.1 A Person shall not use or permit to be used any vehicle for the conveyance or storage of waste unless such vehicle is fitted with a suitable cover capable of preventing the dropping, spilling or blowing off of waste while it is being transported or stored.

SECTION 7 – ENFORCEMENT AND PENALTIES

7.1 Any person who contravenes any provision of this bylaw is guilty of an offence and is liable under the Provincial Offences Procedure Act to a fine not less than \$50.00 and not exceeding \$1,000.00:

(a) \$50.00 for a first offence;

(b) \$100.00 for a second offence;

(b) Not less than \$200.00 and not more than \$1,000.00 for subsequent offences.

7.2 Where a Bylaw Officer has reasonable grounds to believe a person has contravened any sections of this bylaw, he may issue and serve upon such a person any offence ticket.

7.3 Service of such offence ticket shall be sufficient if it is:

(a) personally served, or;

(b) mailed to the address of the registered owner of the property.

7.4 Notwithstanding the provisions referred to in Section 7.2, a person to whom a ticket has been issued pursuant to this Section may exercise his right to defend any charge of committing a contravention of any of the provisions of this bylaw.

7.5 Where any action has been taken whatsoever by the Summer Village for the purpose of removing waste, the Summer Village may, in respect of any costs incurred in such action, charge such costs so incurred to the Owner or Occupant of the land in respect of which the action was taken.

7.6 In respect of any costs or fines levied or charged under this Bylaw the Summer Village may recover such costs or fines due and owing and add the amounts due to the tax roll of the property.

SECTION 8 - SEVERABILITY

8.1 Each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provisions of this Bylaw be declared invalid, all other provisions shall remain valid and enforceable.

SECTION 9– REPEAL OF BYLAW

9.1 Upon third reading of this bylaw, Bylaw #310/01 and Bylaw #347/12 are hereby rescinded.

SECTION 10 – EFFECTIVE DATE

This Bylaw comes into effect on the date of the third and final reading.

Read a first time this 26th day of April, 2019.

Read a second time this ____ day of _____, 2019.

Read a third and final time this ____ day of _____, 2019.

Mayor

CAO