

TOWN OF CANORA

Bylaw Number 16-06

A BYLAW TO PROVIDE FOR THE COLLECTION AND DISPOSAL OF DOMESTIC WASTE AND OTHER REFUSE

The Council of the Town of Canora, in the Province of Saskatchewan, enacts as follows:

1. TITLE

This Bylaw shall be referred to as the “Solid Waste Management Bylaw”.

2. DEFINITIONS

In this Bylaw, unless the context otherwise requires, the word(s):

- a) “Approved container” means a container that meets the requirements of and has been approved for use by Town of Canora.
- b) “Automated collection” means the mechanical collection of waste in roll-out carts or dumpsters using vehicles specially designed for collection from such containers.
- c) “Bulk refuse” means large, bulky items including carpet, discarded furniture, equipment, large boxes or crates.
- d) “Cart” means a 95-gallon black waste or blue recycling container on wheels that is designed for automated collection.
- e) “Collection” means the Town’s operation that provides for the removal of certain waste for the purpose of processing and disposal.
- f) “Collector” means a person employed or contracted by the Town for the purpose of collecting and delivering wastes and recyclables to the waste disposal ground or as directed by the municipality.
- g) “Compostables” means garden refuse, grass clippings, unprepared vegetable household wastes, straw, leaves and any other organic materials other than grain and animal products.
- h) “Construction debris” shall mean any materials from excavation, building construction, repair or alteration
- i) “Contaminated Soil” means soil that has become contaminated with petroleum hydrocarbons, including: gasoline, diesel fuel, aviation fuel, kerosene, naphtha, fuel oil and heating oil, lubricating oils and unrefined petroleum hydrocarbons.
- j) “Council” means the Council of the Town of Canora.
- k) “Demolition Material” shall mean any debris from any building removed, destroyed by fire or any other causes.
- l) “Designated area” means separate sites within the waste disposal ground set aside for disposal of particular items that may include domestic waste and rubbish, construction debris, glass, scrap metal, bulk refuse and compostables.
- m) “Domestic waste” means putrid animal, mineral or vegetable waste resulting from the handling, preparation, cooking and consumption of food.
- n) “Dumpster” means a six (6) or nine (9) cubic-yard waste or recycling container designed for automated collection.

- o) "Landfill contractor" means the person(s) hired by the Town to carry out operations at the waste disposal ground.
- p) "Liquid Domestic Waste" means any waste which contains animal, mineral or vegetable matter in solution or suspension.
- q) "Public Highway" means a road allowance or a road, street or lane, vested in Her Majesty or set aside for such purpose and includes the entry road to the waste disposal ground, a culvert, drain or other public improvement erected upon or in the connection with such public highway.
- r) "Recyclable" means any material that can be recycled and is collected for the purpose of recycling or reuse that may include various forms of paper, cardboard, plastic, aluminum and tin cans and food and beverage containers.
- s) "Refuse" means all wastes including domestic waste rubbish, street cleanings, yard clippings, any useless, unwanted or discarded materials resulting from ordinary community activities but not liquid domestic waste.
- t) "Scrap Metal" means unusable motor vehicles, machinery or parts and any other, residential, commercial or industrial metallic waste.
- u) "User" means the owner, occupant, lessee, tenant or the person otherwise in charge of any dwelling, hotel, restaurant, apartment block, office building, institution, commercial or industrial establishment or other premise or property in Town.
- v) "Town" means the Town of Canora in the Province of Saskatchewan.
- w) "Waste Disposal Ground" means the municipal waste disposal site located at SW 31-30-03 W2.
- x) "Whites" means large metallic objects such as major appliances, water heaters, stoves, furnaces, washers, dryers, refrigerators, deep freezers, dish washers, bed springs and fencing gates.

3. GENERAL PROVISIONS

- a) No person shall dispose of waste in the Town of Canora except in the manner provided in this bylaw.
- b) The Town shall arrange for the systematic disposal of all wastes, except such wastes as may be excluded from the Town's licence to operate a disposal ground or as otherwise specified in this bylaw.
- c) In the event that a particular waste is not dealt with within this bylaw, the Chief Administrative Officer shall have the final decision with respect to acceptance, disposal location and associated cost.
- d) Waste not originating from within Town limits may be charged for separately or refused.
- e) All properties shall participate in the waste collection system provided by the Town, regardless of whether or not service is provided by the municipality or a contractor.
- f) Domestic waste in the Town of Canora shall be removed to the waste disposal ground by a collector or users of property in Town of Canora.
- g) Whites and bulk refuse shall be the responsibility of the landowner for disposal at the waste disposal ground.
- h) Except as otherwise authorized, no user of any land or building shall allow waste of any kind to accumulate on any land or building.

- i) Where any person is required by provisions of *The Environmental Management and Protection Act* to dispose of waste other than those wastes which are received at the waste disposal ground, that person shall obtain appropriate permits and provide evidence of such permits to the Town, if it affects the Town in any way.
- j) No person other than the designated collectors for the Town shall open, remove, disturb, handle or interfere with any waste put out for collection and removal.
- k) The decision of the Chief Administrative Officer with respect to the enforcement of this bylaw shall be final with respect to the quantities and classes of waste being dealt with.

4. PUBLIC COLLECTION PRACTICES

- a) To facilitate the efficient collection of waste and recyclables, and where practicable, carts or dumpsters will be provided to users by the Town. At properties where carts or dumpsters are not provided, users shall place waste or recyclables for collection in an approved container in a place convenient for removal or authorized by the Town.
- b) Waste and recyclable materials are to be placed in the appropriate containers for collection.
- c) Each cart provided to a residence shall be for the sole use of the owner or occupant of the residence; and carts shall not be removed from the residence by the owner or occupant, or used for any other purpose other than as permitted in this bylaw.
- d) Residential users shall be limited to collection of one cart per week.
- e) Refuse shall be thoroughly drained of all liquids and securely wrapped in plastic or plastic bags before it is placed in a waste cart.
- f) All carts are to be placed so as not to impair traffic or pedestrian movement. If deemed necessary, in the interest of public safety or for collection reasons, notice to the user to change the location of a cart will occur.
- g) Unless otherwise instructed by the Town, users shall place carts on the street in front of the property with the collection container wheels against the curb allowing at least one (1) metre on all sides of the container.
- h) Carts must be placed for collection no later than 5 a.m. on scheduled collection day and no earlier than 6 p.m. the day prior to collection. Carts must not remain on public land and/or roadways longer than 12 hours after scheduled collection.
- i) The Town will post the collection schedule for waste and recycling pickup
- j) Carts may not be emptied if:
 - i. Contents of the cart are too heavy;
 - ii. The recycling cart contains non-recyclable materials
 - iii. The waste or recycling cart is over-filled so that the lid does not close;
 - iv. The cart is not accessible by the truck, due to improper placement next to vehicles, snow banks or other obstacles; and,
 - v. The cart was not placed at the curb by the appropriate time
- k) The following shall not be placed in carts or dumpsters:
 - i. Building materials,
 - ii. Tree limbs,
 - iii. Soil, sod, dirt,
 - iv. Dead animals or dead animal parts,
 - v. Flammable substances,
 - vi. Hazardous wastes such as paint, motor oil or solvents

- l) No person shall place waste or recycling into any cart or dumpster except into a container that is assigned to their property.
- m) No person, other than the occupant of a property to which a cart is assigned shall disturb or disrupt the contents of a cart.
- n) No person shall cause or permit any loss of, or damage to, a waste or recycling cart.
- o) No person shall deposit special or unacceptable recycling into any container.
- p) Ashes shall not be mixed with other refuse or household wastes and shall be either watered down or otherwise completely extinguished.

5. STORAGE OF WASTE FOR PUBLIC COLLECTION

- a) Waste and recycle carts are provided once in a lifetime to each residential address. The carts must remain at said property, regardless of transfer of ownership of the property.
- a) The initial cost of cart(s) is at sole cost to the Town. The repair or replacement of cart(s) will be at the cost of the property owner, regardless if required by theft, damage or vandalism.
- b) Occupants shall reimburse the Town for the actual cost of repair or replacement of any cart damaged when a cart remains on the street in violation of Subsection 4(h). The Town will provide the occupant with a replacement cart only after reimbursement has been made.
- b) Where a dumpster is not provided by the Town, commercial user receptacles shall be of an appropriate shape, size and be esthetically pleasing. The size and shape may vary from place to place and, in all cases, meet the approval of the Chief Administrative Officer.
- c) If a user, after receiving notice from Town staff to provide or conveniently locate proper waste receptacles, neglects to do so, Chief Administrative Officer may order the cessation of refuse collection until this bylaw is complied with.
- d) Every person shall keep the lid of the waste and recycle cart tightly closed
- e) No person shall place, dump or dispose of any refuse, bulk refuse or whites near or over the gate at the waste disposal ground or on any public highway.

6. WASTE COLLECTION

- a) The collection, removal and disposal of waste in the Town of Canora shall be regulated by Council and directed, supervised and enforced by Chief Administrative Officer. All regulations passed by Council respecting administration, enforcement and carrying out of the provisions of this bylaw shall form a part of this bylaw and a violation of such regulations shall constitute a violation of this bylaw.
- b) All waste shall be removed to areas as designated by this bylaw.
- c) A Collector will collect refuse and remove it to the waste disposal ground for residential users.
- d) A Collector will collect recyclables and remove it to the Saskatchewan Abilities Council in Yorkton.
- e) The Collector will not collect any refuse, recyclables, compost, tires, appliances, demolition waste, hazardous waste or bulk items that are not deemed suitable for handling or processing.

- f) The Town will post a colour-coded system of carts and dumpsters for the collection of refuse, recyclables and compostables.
- g) Town of Canora may offer special collection opportunities to address particular needs.

7. TRANSPORTATION

- a) No person shall collect or transport, for hire, waste of any kind in the Town unless he or she is in possession of a current licence for that purpose under the Town's licensing bylaw.
- b) No person shall operate any vehicle transporting refuse or bulk refuse over any public highway unless the load is completely enclosed or covered with a tarpaulin or secured in such a manner that it is impossible for any part of the load of the said vehicle to escape.
- c) No person shall transport any petroleum-contaminated soil or any other waste dangerous good in the Town unless he or she is in full compliance with the requirements of the Ministry of Environment.

8. WASTE DISPOSAL GROUNDS

- a) Every person shall report to the Landfill Contractor upon entry to the waste disposal grounds and shall comply with all signage as well as any instructions and directions given by said contractor.
- b) The waste disposal ground, when open to the public, shall be supervised at all times by the landfill contractor or an employee of the Town.
- c) All items, including, but not limited to, refuse, bulk refuse, glass, whites, scrap metal, construction debris and compostables, shall be sorted before being deposited in the designated areas of the waste disposal ground.
- d) Any load may be inspected by the Landfill Contractor to determine its suitability for landfill disposal.
- e) The hours of public operation of the waste disposal ground are posted at the landfill or may be obtained upon request from the town office. Hours of operation of the waste disposal ground shall be determined by Council.
- f) Any user delivering any waste to the waste disposal ground shall pay to the Town a fee in accordance with the schedule of fees which is set by Council resolution.
- g) Keys to the waste disposal ground are not available to the public. If a user needs to enter the waste disposal ground outside of regular hours, it may be arranged through the Chief Administrative Officer or landfill contractor. The Town may charge a fee in excess of the gate fees when Town employees provide access to the waste disposal ground outside of regular hours. The landfill contractor is allowed to charge a fee to provide access to the waste management site outside of regular hours.
- h) Manure, grain, petroleum wastes, slaughterhouse wastes, dead animals and other comparable wastes shall not be deposited at the waste disposal ground unless approved by Council and, if approved, at a rate set by Council.
- i) Tires, contaminated soil and liquid domestic waste shall not be deposited at the waste disposal ground.
- j) No person shall remove, disturb or take away any material, object or thing from the waste disposal ground without written permission from the Chief Administrative Officer.

- k) The Town shall own and have the sole right to dispose of all refuse collected and delivered to the waste disposal ground.
- l) Absolutely no burning is allowed at the waste disposal ground unless authorized by the Town Superintendent and a permit is issued from Saskatchewan Environment and Resource Management.
- m) No person shall deface, destroy or alter any signs, gates or fencing at the waste disposal ground.
- n) Town of Canora may offer special seasonal clean-up programs at the waste disposal ground.

9. PENALTIES

- a) Any person who contravenes any of the provisions of this Bylaw or neglects or fails to comply therewith or with any notice given there under shall be guilty of an offence and liable upon summary conviction to:
 - i. in the case of an individual, to a fine of not more than \$2,000.00; and;
 - ii. in the case of a corporation, to a fine of not more than \$5,000.00;
- b) A Notice of Violation, as specified in Form "A" to this Bylaw, may be issued by the Chief Administrative Officer or Bylaw Enforcement Officer for the Town for offences against this Bylaw in the penalty amount set forth below:
 - i. First offence, of \$100
 - ii. Second offence, of \$200, and
 - iii. Third and subsequent offence, of not less than \$200 and not more than \$10,000
- c) Notwithstanding Subsection 9(a) a person who contravenes any provision of this bylaw, upon being served with a Notice of Violation, as specified in Form "A", may voluntarily pay the prescribed penalty in Subsection 9(b) at the Town Office, 418 Main Street. If the Town receives voluntary payment within the time specified on the Notice of Violation, the person receiving the Notice of Violation shall not be liable for prosecution for the alleged contravention.
- d) If payment is not received as provided in Subsection 9(c) hereof within the time prescribed, a summons shall be issued to the person alleged to have committed the offence, and thereafter, the provisions of this section shall not apply with respect to that offence.
- e) A person to whom a Notice of Violation is being issued pursuant to this Section shall, upon request, provide their name and address. Any person who fails to provide this information is guilty of an offence and liable on summary conviction to the penalty contained in Subsection 9(a).

10. EFFECTIVE DATE

This Bylaw shall come into force and have effect from and after the date of the final reading.

Bylaws No. 95-07 and 91-16 are hereby repealed.

Mayor

Chief Administrative Officer

Introduced and read a first time this 19th day of April 2016.

Read a second and third time and adopted this 19th day of April 2016.