



BYLAW 09-2019

A BYLAW TO REGULATE THE COLLECTION, REMOVAL AND DISPOSAL OF RESIDENTIAL WASTE MATERIALS IN THE VILLAGE OF WABAMUN

WHEREAS under the authority of the Municipal Government Act RSA 2000, Chapter M-26, as amended from time to time, authorizes the Council to pass, repeal, or amend any Bylaw; AND

WHEREAS under the provisions of the Municipal Government Act R.S.A. 2000, and any amendments thereto, Section 7 General jurisdiction to pass bylaws for municipal purposes respecting the following matters (f) services provided by or on behalf of the municipality; (g) public utilities; AND

WHEREAS it is deemed desirable to regulate the collection, removal and disposal of residential waste materials in the Village of Wabamun; AND

WHEREAS Council deems it in the best interest of the municipality to ensure the timely and appropriate collection, removal and disposal of residential waste materials; AND

NOW THEREFORE the Council of the Village of Wabamun duly assembled hereby enacts as follows:

SECTION 1: SHORT TITLE

This Bylaw may be cited as "The Waste Bylaw".

SECTION 2: DEFINITIONS

APPLICATION – administration approved form filled by the property owner for the commencement of utility services

BLUE BAG – a transparent blue plastic bag specifically intended to hold recycle materials measuring not more than 24" x 36"

COLLECTION DAY - the day or days during each week on which waste is regularly collected from a specific premises

COMMERCIAL PREMISES – noted as commercial property on the assessment roll; including any café, restaurant, warehouse, wholesale or retail business place, office building, garage or service station, factory or industrial plant, a multiple family dwelling, and any other building or premises of similar nature or purpose

CONSUMER - any person who uses garbage, organics or recycling services supplied by the Village

COUNCIL - the Municipal Council of the Village of Wabamun

DWELLING - a building occupied for residential purposes with the exception of a multiple family dwelling

ENFORCEMENT OFFICER – A Bylaw Enforcement Officer or a Community Peace Officer or a Village Employee delegated with the authority to enforce the Bylaws of the Village of Wabamun

HAZARDOUS WASTE – including but not limited to explosive, inflammable, volatile, noxious, or dangerous materials or device(s), substance(s) or industrial waste (including carcasses or any part thereof)

HOUSEHOLD GARBAGE - discarded ashes, crockery, cloth, wrappings, plastics and other items of household refuse but does not include organic or recycle materials as defined in this Bylaw

INDUSTRIAL WASTE - materials from excavations; materials from lot clearing and building construction; repairs, alterations, or maintenance; debris from any building removed, demolished, destroyed by fire or any other cause; material from manufacturing processes; dead animals, carcasses or parts thereof; waste from garages and service stations; condemned matter or waste from factories, other works, or from warehouses; ashes from industrial plants; and other similar waste materials that cannot be reasonably considered everyday household or personal waste including human excrement

MULTIPLE FAMILY DWELLING - a building or buildings which are, or are intended to be, occupied as a residence by more than two tenants living independently of one another in the same or a separate building, and shall include apartment, hotel, motel, boarding & rooming houses, and row housing; also includes any room or suite of rooms in any building containing any commercial premises with the exception of home based business as approved by the Municipal Administrator

MUNICIPAL ADMINISTRATOR - the Chief Administrative Officer of the Village or designate

ORGANICS - grass cuttings, garden refuse, leaves, food wastes, meat trimmings (excluding bones or cheese), hedge trimmings or other materials which are easily composted but shall not include branches or tree limbs; as determined by the Waste Collection Agent and may be amended from time to time

ORGANIC WASTE CART - a rolling bin with a connected flip-open lid issued and approved by the Contractor for organic waste collection

PROPERTY OWNER – the person or persons who legally hold title to the land in accordance to the Provincial Land Title Office and as confirmed by the Village

RECYCLE MATERIALS - materials which may include but are not necessarily limited to newspaper, mixed paper, box board, cardboard, all milk containers and rigid plastic containers, washed and flattened tin cans and clean glass jars which must be set out separately from the other materials; as determined by the Waste Collection Agent and may be amended from time to time

RESIDENTIAL PROPERTY – noted as residential property with a dwelling on the land on the assessment roll with the exception of, for the purpose of this Bylaw, multiple family dwellings

RESIDENTIAL WASTE CART - a rolling bin with a connected flip-open lid issued and approved by the Village for residential waste collection

RESIDENTIAL WASTE MATERIALS – referring to household garbage, organics and recyclable materials for the purpose of the Bylaw

STREET - shall include all highways, roads, lanes, alleys, avenues, easements, thoroughfares, utility lots, drives, bridges and ways of public nature, sidewalks, boulevards, parks, Public Square and other public places unless the contrary is expressed or unless such construction would be consistent with the context of this Bylaw

VILLAGE - the Village of Wabamun or its duly authorized representative(s)

WASTE COLLECTION AGENT - the person or contractor appointed by the Village for the purpose of collecting and disposing of waste, organics, and/or recyclables

WASTE COLLECTION SERVICE – the provision of service to remove residential waste materials from properties allowable under this Bylaw

SECTION 3: WASTE COLLECTION

3.1 A maximum of two (2) residential and two (2) organic waste carts, as defined in Section 2 of this Bylaw, shall be provided per residential property, as defined in Section 2 of this Bylaw, for the purpose of waste collection and pickup service, and these carts shall belong to the property of the land; thereby, each property owner is responsible for their waste carts and to ensure they are kept in serviceable working condition.

3.2 Waste carts shall be permitted to be placed at the collection site from 7:00 pm the evening before until 7:00 pm the evening of the scheduled waste collection day.

3.3 Waste collection service shall be scheduled by the Village Office for routine and regular pick up. An annual collection service schedule shall be prepared on a calendar and distributed to the property owners in their utility statements prior to year end and posted at the Village Office for convenient access and referral purposes.

3.4 Waste is only collected from curbside and the cart(s) must be placed not more than 1.5 meters from the curb in front of the residential property that the carts are assigned to with the lid securely closed and waste or organic matter contained completely within; carts must be placed in such a manner as to not interfere with vehicular or pedestrian traffic.

3.5 All waste defined as household garbage is to be bagged before being put into the waste cart and shall never be packed down so tightly that it cannot be dumped into the truck.

3.6 All waste carts are to be stored on the property in accordance to the regulations of all applicable Village Bylaws.

3.7 No person shall directly or otherwise dispose of, or permit any other person to dispose of, any hazardous waste as defined in Section Two of this Bylaw into any waste cart.

3.8 No person shall directly or otherwise dispose of, or permit any other person to dispose of, any hypodermic syringes or needles or other Bio Hazardous waste into any waste cart. All Bio Hazardous Waste must be disposed of in accordance to Alberta Health Standards and/or Regulations.

3.9 Disposal of any refuse by burning shall comply with the Village Fire Permit Bylaw.

3.10 No scavenging or littering or dumping waste permitted in the Village.

3.11 Any authorized employee of the Village, or Agent appointed by the Village, has the right to refuse collection or pick up service if the waste cart is overfilled and the lid is not closed and/or the waste cart is unable to be picked up by an automatic arm and/or the waste cart is damaged.

3.12 No person shall operate a vehicle in the Village while it is carrying waste or industrial waste unless that portion of the vehicle and/or trailer in which the material is being carried is securely covered and tied down to prevent any part of such material from falling off, or out of, the vehicle while in transit.

SECTION 4: ADMINISTRATION

4.1 Three (3) separate waste collection service fees (garbage, organics, recycling) shall be charged to the utility account on a monthly basis in the combined Utility Statement in accordance with Schedule A attached

4.2 The waste collection service fee is compulsory for all residential properties, as defined in Section 2 of this Bylaw, and/or other approved utility accounts, and this fee shall not be reduced, pro-rated, waived, eliminated or suspended due to failure to place waste cart(s) out on time for collection or temporary absences from the property or a delay in collection service due to weather, road conditions, etc. and other similar circumstances.

4.3 All utility accounts, including interim accounts for utilities service(s), shall be due and payable to the Village on the last day of the month in which it was billed.

4.4 A penalty shall be applied on the first business day of every month to all overdue accounts in accordance with Schedule A attached

4.5 All property owners in the Village whose property are not defined as residential in Section 2 of this Bylaw, are responsible for arranging their own waste collection and disposal service. Special consideration for waste collection service may be approved by the Municipal Administrator for properties not included as residential if the waste produced is allowable within this Bylaw and can be contained and disposed of using an approved waste cart; all regulations of this Bylaw are applicable.

4.6 It is the property owner's responsibility, prior to the start date of occupancy to apply for a utility account and pay any applicable fees; further, the property owner is held responsible to report any change of account information at least ten (10) days in advance of change date for processing. All utility accounts shall be held in the property owner's name.

SECTION 5: ENFORCEMENT

5.1 Failure of a property owner to apply for an account shall in no way affect the liability of the property owner to pay the account and/or any outstanding fees and/or penalties for non-compliance applied to the account in accordance with Schedule A attached

5.2 All persons residing in or visiting the Village shall dispose of waste in accordance with this Bylaw and all other regulations of any other applicable Village Bylaw or an enforcement fee shall be applied for non-compliance in accordance with Schedule A attached

5.3 By the authorization of the Municipal Administrator, the outstanding utility balance may be transferred to the property tax roll for a fee in accordance with Schedule A attached, penalties shall continue to be applied to all arrears as per Section 4.4.

5.4 Any waste cart found other than on the property where it is attached or any waste cart willfully damaged or destroyed regardless of by whom, may result in the waste cart being confiscated and/or the provision of waste collection service to be revoked or suspended. The property owner may be charged a fee to replace or repair the waste cart and/or a fine for non-compliance; the full waste collection service fee shall continue to be applied to the utility account.

SECTION 6: SEVERANCE

6.1 If any provision herein is found to be invalid for any reason then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.

SECTION 7: VALIDITY

7.1 This Bylaw shall come into force and effect on the final date of passing thereof.

7.2 That Bylaw 12-2014 is rescinded in its entirety upon the Third and Final Reading of this Bylaw.

READ A FIRST TIME IN COUNCIL THIS 19TH DAY OF MARCH, 2019

READ A SECOND TIME IN COUNCIL THIS 19TH DAY OF MARCH, 2019

SIGNED BY THE CEO THIS DATE

CHIEF ELECTED OFFICIAL

SIGNED BY THE CAO THIS DATE

MUNICIPAL ADMINISTRATOR

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SCHEDULE A

WASTE COLLECTION SERVICE FEES

- a) Household Garbage - \$17/cart/month
- b) Organics - \$4.30/cart/month
- c) Recyclable Materials - \$4.80/month
- d) Waste collection service fee(s) cannot be suspended, reduced or waived and shall be charged to each property serviced within the Village of Wabamun twelve (12) times a year

OTHER FEES

- | | | |
|----|---|-------------------------|
| a) | Administration Fee | \$50.00 |
| b) | PENALTIES on overdue utility service accounts | 1.5% per |
| | month | |
| c) | Non-compliance with Waste Bylaw (Enforcement) | \$100.00 |
| d) | Each 65 Gallon Waste Cart (Enforcement) | \$100.00 |
| | includes GST | |
| e) | Overdue Account Transfer Fee (Enforcement) | \$25.00 per transaction |