

The Town of Rimbey Solid Waste Management Bylaw

Bylaw 865/11

A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO SET FORTH TERMS AND CONDITIONS FOR THE COLLECTION, REMOVAL AND DISPOSAL OF SOLID WASTE THROUGHOUT THE MUNICIPALITY.

WHEREAS, Pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws respecting services provided by or on behalf of the Municipality and to pass a Bylaw respecting the safety, health and welfare of people;

NOW THEREFORE, the Council of The Town of Rimbey, duly assembled enacts as follows:

PART I - BYLAW TITLE

This bylaw may be cited as the "Solid Waste Management Bylaw".

PART II - DEFINITIONS

- 1) In this bylaw unless the context otherwise requires:
 - a) "blue bag" means a transparent plastic bag in which acceptable recyclable material may be placed.
 - b) "C.A.O." means the Chief Administrative Officer of the Town of Rimbey, or designate.
 - c) "Collector" means any person authorized to collect, remove and dispose of residential waste pursuant to this Bylaw.
 - d) "highway" means any thoroughfare, street, road, trail, avenue parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes;
 - i) a sidewalk (including the boulevard portion of the sidewalk);
 - ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and;
 - iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the lands between the fences or all the lands between the fence and the edge of the roadway as the case may be, but;

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- iv) does not include a place declared by the Lieutenant Governor in Council not to be a highway.
- e) "Peace Officer" means any member of the RCMP, a Peace Officer and a Bylaw Enforcement Officer.
- f) "receptacle" means an animal proof container constructed of non-corrosive durable metal, rubber or plastic, equipped with a water tight cover and two (2) handles to facilitate handling.
- g) "recyclable material" means generally accepted materials for recycling including;
 - i) flattened corrugated cardboard
 - ii) flattened boxboard
 - iii) newsprint
 - iv) magazines and flyers
 - v) other paper and paper products
 - vi) tin – labels removed and rinsed
 - vii) plastic milk jugs and cardboard milk containers – lids removed and rinsed
 - viii) recyclable plastic containers
 - ix) clear glass jars – lids removed and rinsed
 - x) any other material designated recyclable by the Town
- h) "residential waste" means all non-hazardous materials coming from residential dwellings excepting restricted waste as outlined in, but not necessarily limited to, Clause 22 of this Bylaw.
- i) "Town" means the Town of Rimbey.

PART III – FEE STRUCTURE

- 2) The full cost of residential waste and recycling collection and disposal from eligible premises within all areas of the Town shall be recovered through a solid waste service fee charged on utility bills as set forth by Town policy or Bylaw.
- 3) Every eligible premise must participate in the residential waste management system as provided by the Town.

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- 4) Any utility account in arrears may be subject to additional interest costs or collection procedures as outlined by policy of Bylaw.
- 5) Eligible premises shall include single residential dwellings, mobile homes, duplex residential dwellings, and multi-residential row housing.
- 6) Non-eligible premises shall include all churches, commercial, industrial and institutional property and buildings as outlined by the Town's Land Use Bylaw, and apartments. Waste collection, removal and disposal from non-eligible premises is the sole responsibility and expense of the owner or occupier of the premises.

PART IV - COLLECTION

- 7) Collection of residential waste shall be on a weekly basis on a day determined by the C.A.O. in consultation with the Collector.
- 8) Collection of recyclable materials shall be once every two weeks on a day determined by the C.A.O. in consultation with the Collector.
- 9) The Town may contract with any person or persons and provide an exclusive or nonexclusive franchise for the collection, removal and disposal of residential waste and recyclable materials upon such terms and conditions as are considered expedient to the Town.
- 10) All eligible premises shall provide and maintain receptacles in good condition to contain all residential waste. All residential waste must be bagged before being placed in a receptacle. Each eligible premise shall be limited to four (4) bags of residential waste per week. Each bag shall weigh no more than 22.5 kg. The Collector reserves the right to refuse pickup of residential waste exceeding these limits. There is no limit to the amount of recyclable material, so long as it is contained in blue bags, eligible for pickup.
- 11) All receptacles must be fitted with covers, which must remain closed. The covers must be suitable to prevent residential waste from spilling or blowing from the receptacles and to prevent water or animals from entering.
- 12) Every person is required to place all recyclable material in a blue bag for collection.
- 13) Every person is required to purchase their own blue bags.

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- 14) No person shall place or keep receptacles upon any alley or highway of the Town. Such receptacles shall be kept at the rear of the building or premise adjacent to the alley so that the Collector shall have unobstructed and convenient access thereto.
- 15) Where any eligible premise is not served by an alley, the receptacles shall be placed for collection at a location as close as possible to the traveled portion of an adjacent highway but not on a sidewalk or in such a location as to interfere with pedestrian or vehicular traffic.
- 16) No person shall place their receptacle out for pickup prior to 5:00pm the evening before the collection day, and no later than 7:00am the morning of, to ensure pickup.
- 17) Where receptacles are placed in the front or on the side of a property for collection of residential waste, they must be removed from the front or side property on the same day that the collection has been made.
- 18) No person shall allow residential waste to spill over or accumulate on any alley, highway or adjoining public or private property. Every person will ensure that all residential waste is kept within their receptacles at all times.
- 19) No person shall allow their receptacles to fall into disrepair or become noxious, offensive or dangerous to public health.
- 20) No person shall pick over, interfere with, disturb, remove, or scatter any residential waste put out for collection or removal.
- 21) No person shall vandalize or willfully damage any residential waste container.
- 22) No person shall place out for collection, or mix with any other residential waste, any of the following items:
 - a) industrial waste, meaning any waste originating from an industrial site;
 - b) combustible or explosive or toxic material which, without limiting the generality of the foregoing, shall include fuels or lubricants, gun powder or bullets, dynamite, blasting caps, motion picture film or radioactive materials;
 - c) household hazardous waste or dangerous goods including solvents, oven cleaners, paints, automotive fluids, wet cell batteries, pesticides, herbicides, or any material commonly referred to as

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- household, commercial or industrial hazardous waste;
 - d) hypodermic needles, sharp objects or broken glass unless packaged in closed, secure, safety containers;
 - e) pathogenic and biomedical waste;
 - f) luminescent gas-filled light tubes, unless such lights are pre-broken or encased in a container of sufficient size and strength to protect such tubes from breakage during transit;
 - g) compressed propane or butane cylinders;
 - h) large or bulky items such as mattresses, box springs, furniture, major appliances, or auto and truck tires;
 - i) electronic equipment including televisions, computers, computer monitors, keyboards, and associated cables;
 - j) automotive parts including lead-acid batteries, scrap metal, oil filters, empty oil containers, tires and automotive bodies;
 - k) oil or other petroleum by-products;
 - l) sawdust, unless in closed containers before placing in the receptacles;
 - m) construction or renovation materials, stumps, concrete blocks or slabs;
 - n) hot ashes or other burning matter;
 - o) liquid wastes or sludge;
 - p) animal waste including dead animals, carcasses, offal, manure, kennel waste, animal parts or excreta, unless the animal excreta is packaged in a securely tied container before placing the waste in a receptacle;
 - q) commercial waste, meaning any waste originating from a place of business;
 - r) any other waste deemed to be prohibited from collection by the Collector, C.A.O. or Peace Officer.
- 23) All persons shall permit authorized Collectors to enter their property and premise at all reasonable times for the purpose of carrying out their duties.

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- 24) Any owner or occupant of non-eligible premises that does not have its waste removed in a manner satisfactory to the Town shall be charged for costs incurred by the Town to have the waste removed. Any unpaid portion of charges shall be added to the property taxes as per Town policy or Bylaw.
- 25) No person or persons shall deposit any residential waste in the container of a non-eligible premise without the permission of the owner or occupier of the premises.

PART V - ENFORCEMENT

- 26) The C.A.O. of the Town or a Peace Officer may, at their discretion, issue a letter or notice to anyone who is in contravention of any section of this Bylaw directing the said person to take any action required so as not to be in breach of the section. The notice or letter may provide a time frame for the person to complete the action.
- 27) Any person who does not comply with a notice or letter is subject to a penalty pursuant to a fine amount as listed in Schedule "A".
- 28) A Peace Officer is hereby authorized and empowered to issue a violation ticket to any person who the Peace Officer believes on reasonable and probable grounds has contravened any section of this Bylaw.
- 29) Any person to whom a violation ticket has been issued may make the voluntary payment, if one is offered, by delivering the violation ticket as per instructions on the violation ticket along with an amount equal to that specified for the offence as set out in this Bylaw.
- 30) Notwithstanding the provisions of this Bylaw, any person who has been issued a violation ticket pursuant to any section of this Bylaw may exercise his/her right to defend any charge of committing a contravention of any provision of this Bylaw.
- 31) A person issued a violation ticket for an offence shall be deemed sufficiently and properly served:
 - a) if served personally on the accused; or
 - b) if mailed by registered mail to the address of the person who has contravened this Bylaw.

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PART VI - SEVERABILITY

- 32) Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

PART VII - REPEAL

- 33) Bylaw No. 781/05 is hereby repealed.

PART VIII - EFFECTIVE DATE

AND FURTHER THAT this bylaw shall take effect on the date of third and final reading.

READ a first time this 23 day of March, 2011.

READ a second time this 23 day of March, 2011.

UNANIMOUSLY AGREED to present Bylaw 865/11 for third and final reading.

READ a third and final time this 23 day of March, 2011.


MAYOR

CHIEF ADMINISTRATIVE OFFICER

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SCHEDULE A - VIOLATIONS AND PENALTIES

Any person who commits a breach of any of the provisions of this bylaw shall be liable to a penalty of \$200.00 (Two-hundred dollars).

A person who commits a second or subsequent offence within a period of one (1) year may be subject to a fine that is double the amounts above.