

BYLAW NO. 1543-23

OF THE

TOWN OF BONNYVILLE

BEING A BYLAW OF THE TOWN OF BONNYVILLE IN THE PROVINCE OF ALBERTA TO REGULATE THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, REFUSE AND OTHER WASTE.

WHEREAS; The Municipal Government Act (Alberta) R.S.A. 2000 and amendments thereto, permits the **Council** to pass bylaws for municipal purposes respecting the safety, health and welfare of people; the protection of people and property; the protection of people and property; nuisances; services provided by or on behalf of the municipality; public utilities; and the enforcement of bylaws.

AND WHEREAS; The **Council** deems it desirable to regulate and control the storage, **collection**, and **disposal** of waste within the **Town of Bonnyville**.

NOW THEREFORE; The **Council** of the municipality of the **Town of Bonnyville** duly assembled enacts as follows:

SECTION 1- TITLE

1. This Bylaw may be cited as the "Garbage Bylaw".

SECTION 2 – PURPOSE

- 2.1 That the system for collection, removal and **disposal** of **garbage**, refuse and waste material accumulated within the Corporate Limits of the **Town of Bonnyville** shall be operated in the manner herein set forth.
- 2.2 To levy Waste Service fees for services provided.
- 2.3 To levy **Waste Management Facility** and Tipping fees for services provided.
- 2.4 To repeal Bylaw No. 963-87, and amendments thereto.
- 2.5 This By-Law shall have effect from the date of final passing thereof.

SECTION 3 – DEFINITIONS

- 3.0 For the purpose of this Bylaw the following terms, phrases, words and their derivations shall have the meanings given herein.
- 3.1 **“Aggregate”** means inert granular construction fill material.
- 3.2 **“Alley”** means a lane intended primarily for the access to the rear yard of adjacent **premises**.
- 3.3 **“Animal Waste”** means all forms of waste from animals or the treatment of animals.
- 3.4 **“Apartment House”** means a residential building divided into separate self-contained suites or apartments having sleeping, cooking and bathroom or toilet facilities and which contains more than four such suites or apartments and includes, but is not limited to, structures known as **Townhouses** or **Rowhouses**.
- 3.5 **“Asbestos Waste”** means waste containing friable asbestos fibers, non-friable asbestos, or asbestos dust and includes asbestos cement.
- 3.6 **“Ashes”** means the residue and cinders from any substance used for fuel, but does not include such residue as may accumulate as a result of a building operation.
- 3.7 **“Asphalt”** means recyclable asphaltic concrete originating from roadways, parking areas and other paved surfaces.
- 3.8 **“Automated Collection”** means the collection of waste material disposed of through a cart system designed to be emptied through mechanical means into a collection vehicle.
- 3.9 **“Automated Collection Container”** or **“Cart”** means a receptacle that:
- 3.9.1 is allocated to a residence by the **Town**; and
 - 3.9.2 is intended for **automated collection** of **garbage**.
- 3.10 **“Base Rate”** means the rate established by the **Town** from time to time for the collection of one unit of waste to be collected from each **dwelling** unit or approved **service user**.
- 3.11 **“Batteries”** means an electro-chemical cell contained in a plastic case consisting of lead and lead oxide plates and containing a mixture of acid which is used to supply an electric power source for motor **vehicles**.

- 3.12 **"Beaver River Regional Waste Commission"** means the Commission established under Municipal Government Act AR 51/2003 and amendments thereto; governing the administration of the **Transfer Station**.
- 3.13 **"Billing Period"** shall be the same as the one-month period for which the customer is charged for utility services.
- 3.14 **"Biomedical Waste"** means medical waste that requires proper handling and disposal because of environmental, aesthetic, and health and safety concerns as well as risks to human health and includes:
- 3.14.1 human anatomical waste;
 - 3.14.2 infectious human waste;
 - 3.14.3 infectious **animal waste**;
 - 3.14.4 microbiological waste;
 - 3.14.5 blood and body fluid waste; and
 - 3.14.6 **medical sharps**, such as needles, syringes, blades or other clinical or laboratory materials capable of causing punctures or cuts.
- 3.15 **"Boxboard"** means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes; toilet paper and paper towel rolls and or other similar items.
- 3.16 **"Building Waste"** means all waste produced in the process of construction or demolition, altering or repairing a building, including earth, vegetation, **boxboard** and rock displaced during the process of building.
- 3.17 **"Carcass"** means dead animal or part of a dead animal.
- 3.18 **"Chief Administrative Officer"** means a person appointed by **Council** as the Chief Administrative Officer (CAO), or that persons designate.
- 3.19 **"Chlorofluorocarbons CFC's"** means a chemical used as a refrigerant requiring special handling and disposal.
- 3.20 **"Church"** means any property held by a religious body and used chiefly for divine service, public worship or religious education
- 3.21 **"Class II facility"** or **"Transfer Station"** means a facility operated by or on behalf of the **Town** for unloading and consolidating residential and ICI

refuse from collection vehicles for **hauling** to another **waste management facility** in larger loads.

- 3.22 **"Class III Waste"** means inert waste capable or being disposed of at the **Town of Bonnyville** landfill.
- 3.23 **"Collection"** means picking up and gathering waste or recycling including **hauling** of the material to a **disposal** site as applicable.
- 3.24 **"Collection Day"** means the day or days on which the Waste is scheduled to be collected.
- 3.25 **"Collection Services"** means one or more of the services provided by the **Town** under this bylaw, including waste, and recycling.
- 3.26 **"Collector"** means any person employed, hired, contracted or otherwise authorized by the **Town** to collect waste.
- 3.27 **"Commercial Bin"** means a container provided for the storage of commercial waste or recyclable material and may be constructed to be mechanically emptied into a collection vehicle with a volume capacity of more than three hundred and sixty-five (365) litres.
- 3.28 **"Commercial Premises"** means a cafe or restaurant, hospital, nursing home, lodge, school, recreation centre, warehouse, wholesale or retail business place, office building or service station factory or industrial plant and any other building or premise except a **dwelling**.
- 3.29 **"Concrete"** means a hardened mixture of cement with sand and gravel.
- 3.30 **"Condominium"** means a residential **dwelling** to which title is:
- 3.30.1 Registered under the Condominium Property Act R.S.A 2000, C-22, as amended; or
- 3.30.2 Held by a cooperative housing association registered under the Cooperatives Act S.A. 2001, C-28.1, as amended.
- 3.31 **"Contaminated-Recycling"** means that **recyclable materials** have been compromised by the presence of food residue, blood, soil, or other **prohibited materials**, "soiled" shall have the same meaning.
- 3.32 **"Contaminated Soil"** means soil or sediment of fill containing substances that are potentially hazardous to health or environment.
- 3.33 **"Contractor"** means any person who charges for picking up **garbage, recyclable material** or refuse in the **Town of Bonnyville**.



- 3.34 **"Council"** means the Municipal Council of the **Town of Bonnyville**.
- 3.35 **"Director of Operations"** means the Director of Operations of the **Town of Bonnyville**.
- 3.36 **"Disposal"** includes disposition or intended disposition by discarding, discharging, dumping, throwing away, dropping or abandoning and "dispose" shall have a comparable meaning.
- 3.37 **"Disposal Grounds"** means any premises designated by the **Town of Bonnyville** for waste disposal or any other premises approved by Alberta Environment for the disposal of waste.
- 3.38 **"Duplex"** means a single building containing two (2) **dwelling** units, one above the other each having a separate entrance. This does not include secondary suites.
- 3.39 **"Dwelling"** means a building occupied for residential purposes, (single family, **duplex**, 4-plex, and row housing) other than a multiple family **dwelling** or **apartment house**.
- 3.40 **"Electronic Waste (e-waste)"** is an electrical or electronic device that is discarded after the end of its useful life. Eligible e-waste accepted is defined by Alberta Recycling Management Authority (ARMA).
- 3.41 **"Fiber Recyclables"** means mixed paper, corrugated cardboard, newsprint, envelopes, file folders, magazines, catalogs, flyers, telephone and other soft cover books, paper egg cartons, paper drink trays or other similar items as designated by the **Town** from time to time.
- 3.42 **"Food Waste"** means fruit and vegetable peelings, table scraps, meat, poultry, fish, shellfish, dairy products, cooking oil, grease, bread, grain, rice, pasta, bones, eggshells, coffee grounds and filters, tea leaves, and bags or other similar items.
- 3.43 **"Hauler"** means any company, person or person who transports waste material including without limitation, **ICI waste, garbage, refuse, recyclable materials or organic materials** to waste management facilities operated by the **Town**, its **contractors**, its agents or to other waste management facilities approved under applicable law for **disposal** of waste material.
- 3.44 **"Household Hazardous Waste"** means any waste, produced in the home, which contains hazardous substances, which may pose threat to the environment, wildlife and human health. Examples include but are not limited to drain cleaners, oil paint, motor oil, antifreeze, fuel, poison, pesticides,

herbicides, rodenticide, fluorescent lamps, medical waste, some types of cleaning chemical and lamp ballasts.

- 3.45 **"Householder"** means any owner, occupant, leasee or tenant or any other person in charge of any building or other **dwelling** used or intended for use as residential **premises**, including a multiple family **dwelling** but excluding **commercial premises**.
- 3.46 **"Industrial Commercial Institutional Waste (ICI Waste)"** means material of similar composition as waste collected within the **Town of Bonnyville** other than by municipal **collection**.
- 3.47 **"Industrial Premises"** means any place that carry on one or more of the following activities; manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or shipment of material goods, products and or equipment.
- 3.48 **"Industrial Waste"** means waste generated by commercial or industrial activities that present health, safety or environmental concerns, and includes but is not limited to lime, sulphur, **asbestos waste**, **contaminated soils**, empty chemical containers and drums, carbon, acids, caustics, sludge, and industrial sump water, but excludes **hazardous waste** and **biomedical waste**.
- 3.49 **"Litter Receptacle"** means a receptacle intended for public use for the temporary storage of litter, **garbage**, or waste, but excludes all other types of waste containers.
- 3.50 **"Medical Sharp"** means a needle device or any non-needle sharp used for withdrawing body fluids, addressing an artery or vein, administering medications or other fluids, or any other device that can reasonably be expected to penetrate the skin or any other part of the body.
- 3.51 **"Member"** means **refuse** generated from member rate payers of the Municipalities belonging to the **Beaver River Regional Waste Commission** as defined in 3.12.
- 3.52 **"Mixed Loads"** or **"non- sorted"** means a load containing a combination of **Transfer station** waste and construction and demolition waste (**Class III waste**). Mixed loads occur at the landfill or **Transfer Station** where 15% or greater of the load is offloaded at the improper location and requires physical separation. Mixed loads are determined by the CAO or designate.
- 3.53 **"Municipal Tag"** means a tag or ticket wherein the **person** alleged to have committed a breach of a provision of this Bylaw is given an opportunity to pay a voluntary penalty to the Municipality of the **Town of Bonnyville** in lieu of prosecution of the offence.

3.54 **“Non-Collectible Waste”** means all material other than collectible waste including, but not limited to:

- 3.54.1 **animal waste, carcasses**, manure, kennel waste, excreta or animal parts;
- 3.54.2 **biomedical waste**;
- 3.54.3 **building waste**;
- 3.54.4 cooking oil, grease, fat, lard or similar materials used in commercial operations;
- 3.54.5 hazardous materials;
- 3.54.6 highly combustible or explosive materials including live ammunition;
- 3.54.7 **industrial waste**;
- 3.54.8 liquids;
- 3.54.9 products containing **chlorofluorocarbons**;
- 3.54.10 radioactive material;
- 3.54.11 soil, sod, dirt, rocks or stumps;
- 3.54.12 tree branches or lumber that exceeds 1.2 meters in length or 0.20 meters in width or diameter;
- 3.54.13 any material that is in a state of combustion or any material that is likely to cause other materials to combust when in the waste container;
- 3.54.14 any material that does not comply with the Garbage Bylaw or any regulation established by the **Town**;
- 3.54.15 any material that does not meet the requirements set out by Alberta Environment to be collectable.

3.55 **“Non-Member”** means **refuse** generated from non-members of the **Beaver River Regional Waste Commission**.

- 3.56 **"Occupant"** means the owner of any **premises** who resides or carries on any kind of business therein; or any **person** or corporation residing or carrying on business therein as a lessee of the owner pursuant to a license of occupancy granted by the owner; or the owner of any vacant premises eligible to receive waste **collection services**.
- 3.57 **"Organic Materials"** means, lawn clippings, leaves, yard waste, branches, bushes, natural Christmas trees without decorations or stand and other material of plant or animal origin as designated by the **Town** from time to time.
- 3.58 **"Owner"** means the registered owner of the real property as designated on the Certificate of Title for the property.
- 3.59 **"PCB"** means any monochlorinated, dichlorinated or polychlorinated biphenyl or any mixture that contains one or more of these.
- 3.60 **"Peace Officer"** means a member of the Royal Canadian Mounted Police, a member of a municipal police, Peace Officer or a Bylaw Officer.
- 3.61 **"Person"** means any person, firm, partnership, association, corporation, company, or organization of any kind.
- 3.62 **"Premise"** means land including any building erected thereon.
- 3.63 **"Prohibited Materials"** means gaseous, liquid or solid material substance or object which is not acceptable for **disposal** at the **transfer station**, including but not limited to:
- 3.63.1 **aggregate;**
 - 3.63.2 **asphalt;**
 - 3.63.3 **biomedical waste;**
 - 3.63.4 clean soil;
 - 3.63.5 **concrete;**
 - 3.63.6 **batteries, propane tanks, tires;**
 - 3.63.7 empty waste containers, unless they are crushed, shredded, or similarly reduced in volume to the maximum practical extent;

- 3.63.8 hazard waste, except as permitted by this bylaw;
 - 3.63.9 ignitable waste;
 - 3.63.10 motor vehicle bodies and farm implements;
 - 3.63.11 **radioactive waste;**
 - 3.63.12 **reactive waste;**
 - 3.63.13 solid waste that is on fire or smoldering.
- 3.64 **“Propane Tank”** means a storage container used for the storage of propane in its liquid form. Tanks are available in many different sizes being engineered and designed for propane storage containment at high pressures.
- 3.65 **“Public Recycling Compound”** means an area accessible to the **Town** that contains bins set aside for the **collection of recyclable materials**.
- 3.66 **“Radioactive Waste”** means waste containing a prescribed substance as defined in Atomic Energy Control Act (Canada) in sufficient quantity or concentration to require a license for possession or use under that Act and regulations made under the Act.
- 3.67 **“Reactive Waste”** means a gaseous, liquid or solid material, substance or object which is:
- 3.67.1 explosive, oxidizing or so unstable that it readily undergoes violent change in the presence of air or water;
 - 3.67.2 generates toxic gases, vapours or fumes by itself or when mixed with water; or
 - 3.67.3 polymerized in whole or in part by chemical action and causes damage by generating heat or increasing in volume.
- 3.68 **“Recyclable Materials”** means **fiber recyclables** and other substances or mixture of substances intended to be recycled.
- 3.69 **“Refuse or Garbage”** means and includes all **automated cart** collectable waste that ends up at the **Transfer Station** such as;
- 3.69.1 **food waste;**

- 3.69.2 broken bottles crockery and glassware, floor sweepings, discarded clothing, non-recyclable packaging, non-repairable household goods, Styrofoam and other household waste;
 - 3.69.3 glass that is tightly wrapped in cardboard or other suitable material and clearly marked to prevent injury to collection personnel;
 - 3.69.4 **ashes** and soot that is completely cold placed in plastic disposal, watertight bags, securely tied and marked "**ashes**" or "soot";
 - 3.69.5 domestic household pet feces placed in plastic disposable watertight bags, securely tied;
 - 3.69.6 **residential home renovation materials**;
 - 3.69.7 **medical sharps** provided they are contained in a puncture resistant, non-breakable container with a tight-fitting lid;
 - 3.69.8 other items not specifically designated as mixed waste except as excluded by this Bylaw.
- 3.70 "**Residential Home Renovation Materials**" means construction and demolition waste generated as a result of small residential home construction demolition or renovation activities and including pieces of Gyproc, pieces of scrap wood rolled carpet and rigid polystyrene foam or fiber glass insulation.
- 3.71 "**RFID**" means Radio Frequency Identification, which is a system that identifies a cart as belonging to a specific residence through the use of computer chips and identification hardware and software.
- 3.72 "**Rowhouse**" means a development consisting of a building containing a row of three (3) or more dwellings housing in whole or in part at the side only with no **dwelling** being placed over another in whole or in part. Each dwelling shall have separate, individual and direct access to grade.
- 3.73 "**Scale House Attendant**" means the person(s) responsible for the operation of the scale system located at the **waste management facility** operated by the **Town**, its contractor or its agents.
- 3.74 "**Service Change Request**" includes but is not limited to:
- 3.74.1 a service change request and delivery of the requested **automated collection carts**;



- 3.74.2 the replacement and delivery of automated carts removed or damaged from already assigned **dwelling** houses.
- 3.74.3 a change to the number of **automated collection carts** assigned and approved by the **Chief Administrative Officer** or designate as per 6.8.3.
- 3.75 **"Service Change/ Set Up Fee"** means the fees set by the **Town** from time to time and specified in Schedule "B" of this Bylaw and charged for:
 - 3.75.1 new waste collection account set up and bin delivery to all **dwelling** houses that do not have **automated collection carts** already assigned;
 - 3.75.2 a **service change request** and delivery of the requested **automated collection carts**;
 - 3.75.3 the replacement and delivery of automated carts removed or damaged from already assigned **dwelling** houses.
- 3.76 **"Service Charge"** means a Collection Service charge set out in Schedule "B" of this Bylaw.
- 3.77 **"Service User"** means the utility service account holder who is deemed by the **Town** to receive **collection services**.
- 3.78 **"Sidewalk"** means that part of a **street** especially adapted to the use of, or ordinarily used by pedestrians and includes that part of a **street** between:
 - 3.78.1 the curb line; or
 - 3.78.2 where there is no curb line, the edge of the roadway, and the adjacent property line, whether it is paved or improved.
- 3.79 **"Street"** means public thoroughfares within the **Town** and includes, where the context allows, the **sidewalk** and borders of the **streets**, lanes and other public thoroughfare.
- 3.80 **"Tires"** means the outer pneumatic rubber covering of wheels of motor **vehicles**.
- 3.81 **"Town, or Town of Bonnyville"** means the Corporation of the Town of Bonnyville.

- 3.82 **"Townhouse"** means a single building that contains no more than four **dwelling** units separated from one another by party walls extending from foundation to roof and each **dwelling** unit has a separate side entrance from grade.
- 3.83 **"Vehicle"** has the same meaning as the Traffic Safety Act, RSA 2000, including amendments thereto and replacement thereof.
- 3.84 **"Waste Management Facility"** means any of the facilities for the management of residential and **ICI waste**, Class II waste, **Class III waste**, recyclables, **household hazardous waste** at designated Waste Management Facilities operated by the **Town**, its contractors or its agents.
- 3.85 **"Waste Materials"** means anything that is discarded and that is eligible for **collection** through the **Towns** waste management system:
- 3.85.1 pursuant to this Bylaw or to any regulation established by the **Chief Administrative Officer**; and
 - 3.85.2 any applicable Alberta Environment regulations or guidelines excluding **Animal Waste, biomedical waste, building waste, hazardous waste, industrial waste**, products containing **chlorofluorocarbons**, or **radioactive waste**.
- 3.86 **"Yard Waste"** means uncontaminated, organic waste from gardening or horticultural activities including grass clippings, leaves, brush, house and garden plants but excludes: trees, shrubs, branches over 1.2m in length, soil, sod, rock, stumps and any other woody material.

SECTION 4 – AUTHORITY AND RESPONSIBILITIES OF THE WASTE MANAGEMENT SYSTEM

- 4.1 In this Bylaw for the purpose of administering or enforcing the provisions of authority or responsibility to establish and enforce procedures and regulations as may be deemed necessary or appropriate for the management and operation of the Waste Management System following will apply:
- 4.2 The **Chief Administrative Officer** (CAO) shall manage and operate the Waste Management System in accordance with:
- 4.2.1 this Bylaw;
 - 4.2.2 the **Council** approved budget;
 - 4.2.3 any fee or rate structure approved by **Council**;
 - 4.2.4 any policies adopted by **Council**;

- 4.2.5 any applicable Provincial or Federal legislation or regulation.
- 4.3 Without restricting the generality of clause 4.1, the **Council** hereby delegates to the **Chief Administrative Officer** the authority and responsibility to:
- 4.3.1 establish and revise as necessary, collection routes, collection areas and collection schedules for **refuse**, recyclables, and Christmas trees.
 - 4.3.2 establish and enforce regulations governing the quantities and types of material that can be deposited into the Waste Container or **Automated Collection Cart**;
 - 4.3.3 designate the conditions and guidelines relating to the acceptance of **waste materials** at the Waste Management Facilities;
 - 4.3.4 approve or set specifications for **commercial bins**, waste containers, **automated collection containers** and plastic garbage bags;
 - 4.3.5 establish and enforce regulations, consistent with any policy or program approved by **Council**, pertaining to recycling, waste reduction and waste diversion programs;
 - 4.3.6 determine the conditions under which service under this Bylaw will not be provided, or the provision of service will be discontinued;
 - 4.3.7 suspend or discontinue the **collection** of waste or recyclable material if the **owner** of the **premise** contravenes a provision of this Bylaw.
 - 4.3.8 designate Town **premises** to be used as **Town** disposal sites, provided the **premise** complies with all applicable rules and regulations.
 - 4.3.9 make and execute agreements on behalf of the **Town** for the **collection** of waste or **recyclable materials** and disposal services;
 - 4.3.10 apply all provisions of this Bylaw that relate to residential **dwellings**;
 - 4.3.11 grant approvals and permissions as set out in this Bylaw;



- 4.3.12 establish a system for billing and collecting rates, fees and charges;
 - 4.3.13 designate any rate or rate structure approved by **Council**;
 - 4.3.14 publish information, from time to time, pertaining to this Bylaw or the **Town's** waste management system that persons may require in order to comply with this Bylaw and to understand and make proper use of the Waste Management System and to encourage Persons to participate in any approved recycling, waste reduction or diversion programs;
 - 4.3.15 determine whether waste **collection** service can reasonably and profitably be provided outside the **Town's** boundaries without creating any material adverse impact on the level or quality of service provided to in **Town** customers, and, if so, make a recommendation to **Council** pertaining to the provision of such service;
 - 4.3.16 arrange procedures to facilitate the orderly collection of materials such as discarded furniture, mattresses and large household appliances from residential properties. The **owner** of the furniture, mattresses and large household appliances has the primary responsibility for disposal; however, periodic **collection** of these materials by the **Town** is for the purpose of assisting Persons who are unable to arrange for proper **disposal** in their own and prevent the accumulation of these materials in residential neighborhoods.
 - 4.3.17 include in the annual budget submission to **Council**, a proposal for the management and operation of the Waste Management System.
 - 4.3.18 take any other steps and make determinations that may be required to implement, administer, apply or enforce the provisions of this Bylaw and the **Town's** waste management system;
- 4.4 The **Chief Administrative Officer** (CAO) is hereby expressly authorized to make decisions and to establish and enforce such procedures and regulations as the **CAO** may deem necessary for the management and operation of the waste management system, including the delegation of any of the duties or responsibilities to one or more employees of the **Town of Bonnyville**

SECTION 5 – COLLECTION GENERAL

- 5.1 The **Town** shall endeavor to provide for pick-up of residential **garbage** once per week except in conditions where it's not possible.
- 5.2 No waste shall be collected from any building which is owned by the Provincial or Federal Governments and is exempt from Municipal Taxation.
- 5.3 When a **dwelling** or **apartment house** contains a commercial or industrial establishment that generates trade refuse, such trade refuse shall be removed at the expense of the **owner**.
- 5.4 Any commercial or industrial property which does not have its **garbage** and refuse removed in a manner satisfactory to the **Town**, shall be charged for costs incurred by the **Town** to have the waste removed. If the bill is not paid, the charges shall be added to the property taxes.
- 5.5 **Council** shall ensure that the equipment for waste **collection** and the way waste is collected and disposed of within the **Town** shall comply with the regulations of the Alberta Health Services.
- 5.6 The **householder** and **commercial premises** shall keep free and clean of **garbage** and refuse, one-half of the width of the lane or **alley** adjoining the property owned or occupied by the **householder** or **commercial premise**.
- 5.7 No **person** or **persons** shall deposit any **garbage**, or any material in a **automated collection cart** that is not their own or under their direct control.
- 5.8 No person shall bring into the **Town** any **garbage**, **boxboard**, or refuse for **collection** or disposal.
- 5.9 The **Town** may enter into a contract with any person for the **collection** of the whole or a portion of the Class II **garbage** and refuse accumulated within the **Town** limits.
- 5.10 **Collection Services** shall be rendered with respect to all residential **dwellings** that are not multiple **dwelling** developments exceeding four (4) **dwelling** units and are not located within a private development except where authorized by the C.A.O.
- 5.11 The **Town** shall not collect waste material from:
 - 5.11.1 **condominiums**, unless approved in writing by the CAO or designate:
 - 5.11.2 multiple **dwelling** developments exceeding four (4) **dwelling** units or **dwelling** units within a private

development, unless approved in writing by the CAO or designate;

5.11.3 apartments;

5.11.4 **commercial premises**, industrial or institutional operations;

5.11.5 **churches** or places of religious assembly;

5.11.6 unserviceable properties;

5.11.7 Federal or Provincial government property;

5.11.8 trailer courts;

5.11.9 other premises determined by **Council**

5.12 A **householder** or **occupant** of a premise listed in subsection 5.11 shall:

5.12.1 arrange for waste **collection** and disposal, at the expense of the **owner** or the occupant, by a private **collection** service that disposes of waste at a disposal site and;

5.12.2 ensure that waste material is collected on a regular basis to prevent the development of noxious odors and the accumulation of waste and recyclable material; and

5.12.3 meet all other conditions of this Bylaw.

SECTION 6 – COLLECTION PROCEDURE AND CART LOCATION

6.1 No **person** other than the **householder** or **occupants** or those appointed by the **owners** or by the **Council** of the **Town** to collect waste shall interfere with or disturb the contents of any receptacles or other waste placed for **collection**.

6.2 No **garbage collection** shall be made from the inside of any building or from the basement or upper floors of any multiple **dwelling**.

6.3 The **Town** shall not be required to remove any waste material from any receptacle which, with its contents, exceeds eighty (80) kilograms weight and/or is overfilled with the lid open.

6.4 The **Town** will not be responsible for picking up loose **ashes** or **non-collectible waste**.

- 6.5 Cardboard boxes, larger **boxboard** items, oil drums, paint cans or other such containers are not eligible containers for waste collection.
- 6.6 Except as otherwise specifically provided in this bylaw, the collection, removal, and **disposal** of **garbage** shall be under the supervision of the **Council** of the **Town** or their designated agents.
- 6.7 The CAO or **Director of Operations** shall be the final authority on placement of carts in case of a dispute.
- 6.8 The **householder** or **occupant** of each eligible premise in an area where automated waste collection occurs shall meet the following specifications and requirements for the purpose where municipal **collection** is used:
- 6.8.1 Waste shall be placed in an automated collection cart supplied by the **Town**;
 - 6.8.2 Residential **dwelling**s that are eligible for **automated collection** of waste material will be delivered and assigned an automated collection cart and **RFID**.
 - 6.8.3 The number of **automated collection carts** required will be determined by the CAO or designate.
 - 6.8.4 **Automated collection carts** assigned to a residential **dwelling** will remain with that residential **dwelling** and monitored through the use of **RFID's**;
 - 6.8.5 **Automated collection carts** shall remain the property of the **Town** and may be removed by the **Town**, its contractors or its agents at the direction of the CAO or designate;
 - 6.8.6 **Owners** of the residential **dwelling** are responsible for all **automated collection carts** assigned to the residential **dwelling** and shall ensure that the containers are
 - 6.8.6.1 kept clean;
 - 6.8.6.2 secured against theft or loss;
 - 6.8.6.3 maintained in good condition;
 - 6.8.6.4 not altered in any way, including any alteration of the exterior;

- 6.8.6.5 used only for allowed waste material;
- 6.8.6.6 available to the **Town**, its contractors, or its agents within a reasonable timeframe for the purpose of inspection, maintenance or repair.
- 6.8.7 An owner shall ensure that the **automated collection container** and its contents do not exceed eighty (80) kilograms (180 lbs.)
- 6.8.8 Lids on **automated collection carts** must remain closed once placed for collection.
- 6.8.9 An owner of a Residential **dwelling** shall be responsible for all fees related to and pertaining to the use of the **automated collection container** issued to the **premise** including fees for assignment, maintenance, repair or replacement of the **automated collection cart**.
- 6.8.10 When the **automated collection container** is not placed out for waste **collection day** the **automated collection cart** shall be stored on the owner or **occupant's** property.
- 6.9 Placement of Automated Collection Cart, shall be as follows:
 - 6.9.1 **Collection** is curbside only. Cart must be placed at the end of driveway and/or at the edge of the property abutting the **street**, road or highway without obstructing the driving lanes of the **street**, road or highway;
 - 6.9.2 Carts will not be collected from rear lanes;
 - 6.9.3 No **collector** shall be required to make a **collection** of waste if the cart is not placed according to this Bylaw, unless an owner has written approval from the CAO or designate.
 - 6.9.4 **Persons** with disabilities can apply for special pick up. Physician verification and CAO approval is required. If approved for special pick up, cart must be accessible for **refuse collection**.

6.10 Unless an owner has written approval from the CAO or designate for another specific location; the placement for **collection** for **Automated Collection Carts** are as follows:

- 6.10.1 be placed in such a manner that an **automated collection** may occur without **collectors** being required to manually move the collection carts in order to allow pick up;
- 6.10.2 is located at least one (1) meter from any object on either side of the container;
- 6.10.3 is located at least thirty (30) centimeters from any object behind the container;
- 6.10.4 has an overhead clearance above the top of the **automated collection container** of three (3) meters;
- 6.10.5 is located in front of the eligible premise that generated the waste;
- 6.10.6 is located on the **street** along the road at the edge of the curb;
- 6.10.7 is placed in an upright position with the lid closed and the front of the cart facing the **street**;
- 6.10.8 collection carts must not be placed on the **sidewalk** or in such a location to interfere in any way with vehicle or pedestrian traffic.

SECTION 7 – PROHIBITIONS

7.1 Under the provisions of this Bylaw no **person** who is the owner, **occupant** or **person** in charge or responsible for any land or building in the **Town** shall allow waste of any kind to accumulate:

- 7.1.1 outside of a building or inside of a portion to which the public or a part of the public has access; or
- 7.1.2 on any land or other premises whether or not there is a building or other structure erected thereon;

EXCEPT for waste which is placed:

- 7.1.3 in **carts** required by this by-law; in a manner complying with the provisions of this Bylaw; and
- 7.1.4 is in a location designated or allowed by the provisions of this Bylaw.
- 7.2 Notwithstanding anything in Section 7.1 or elsewhere in this Bylaw contained, no **person** shall dispose of waste or allow waste to accumulate anywhere in any manner which contravenes a provision of the Public Health Act, and the regulation made thereunder, or a Bylaw of the **Town** relating to health, sanitation or nuisances.
- 7.3 No **person** shall burn **garbage** or waste material in the open air within the **Town** unless first obtaining a written permit to do so from the **Town of Bonnyville**.
- 7.4 No **person** shall directly or otherwise dispose or permit any **person** to dispose of any explosives.
- 7.5 No **person** shall throw, sweep or place dust, leaves, grass or other waste from any **sidewalk** into any gutter or any other part of a **street**.
- 7.6 No **person** shall permit any deceased animal to remain on any **street** or highway to obstruct the same, or to remain undisposed for longer than four hours after death. The owner or **person** in charge of the deceased animal shall be responsible for the charges in connection with its disposal.
- 7.7 No **person** shall place for **collection** pet manure which is not enclosed in a suitable, air tight container to prevent contamination of **garbage** collection equipment and health hazards.
- 7.8 No **person** shall willfully hinder or interrupt or cause or procure another to hinder or interrupt, the **Town**, its contractors, servants, agents or employees, in the exercise of powers and duties under this Bylaw;
- 7.9 No **person** shall deposit waste or recyclable in a container, cart, bin or bag without the consent of the owner or **occupant** of the **premise** on which the container, cart, bin or bag is located.
- 7.10 Unless special arrangements for **collection** are made with the **Town of Bonnyville**, any tax exempted property or **premise** is not eligible for waste collection without **Council** approval.
- 7.11 In this Bylaw the **Town** may have the right to withhold any waste **collection** for the following:
- 7.11.1 waste or building materials are improperly prepared for collection.
- 7.11.2 **non-collectable waste, or prohibited materials** are placed for collection.

- 7.11.3 excessive quantities of materials have been placed for collection.
- 7.11.4 materials or containers are located in unsafe or non-compliant set out locations.
- 7.11.5 materials were not placed out for collection on the correct scheduled **collection day**.
- 7.11.6 materials were not placed out for collection before 7:00 a.m. on the **collection day** (there shall be no collection until the next scheduled **collection day**).
- 7.11.7 materials are scattered or spilled from cart.
- 7.11.8 if materials are overflowing from cart.
- 7.11.9 the **owner** or **occupant** is in default of payment for service charges

SECTION 8 – COLLECTION TIMES AND FREQUENCY

8.1 In this Bylaw the following provisions apply to municipal collection times and frequencies:

- 8.1.1 Collectible material must be placed at the curb no later than 7:00 a.m. on the scheduled **collection day** in that area as established by the CAO or designate.
- 8.1.2 No **person** shall place collectible materials out for **collection** before 7:00 p.m. on the day prior to the scheduled **collection day** applicable to the area.
- 8.1.3 All carts must be removed by 9:00 p.m. of the scheduled **collection day**, including any materials not collected.
- 8.1.4 Waste **collection** from any location may occur at any time during the **collection day** (7:00 a.m. to 9:00 p.m.) and actual time of collection will often vary on a weekly or seasonal basis.
- 8.1.5 Collection of **refuse** shall be weekly.

- 8.2 When a regularly scheduled **collection day** falls on a Federal, Provincial or Civic holiday, the collection may be modified or occur on an alternate day as designated by the CAO or designate.
- 8.3 Special collections such as Christmas Trees, Home Renovation Materials or Large Items may be implemented and scheduled at the discretion of the CAO or designate.

SECTION 9 – COMMERCIAL AND INSTITUTIONAL AREAS

- 9.1 The **owners, occupant** or **person** in charge of a commercial or Institutional premise shall:
- 9.1.1 ensure all waste is removed regularly so that the same does not accumulate;
 - 9.1.2 place containers in accessible locations so persons patronizing the **premises** are able to deposit any type of wrapping or discarded portion of anything sold or distributed on the **premises**;
 - 9.1.3 ensure that containers are of industrial material with either spring loaded or hinged lids to prevent **garbage** from scattering about;
 - 9.1.4 where a private contract for **collection** of refuse, **garbage** and rubbish is entered into with the **owner**, commercial type containers with lids may be provided in locations approved by the **Town**;
 - 9.1.5 ensure all areas immediately surrounding the **premises** such as parking lots, **sidewalks**, lanes, etc. are kept clean of litter.
- 9.2 Food service outlets which provide take out service of prepared foods must
- 9.2.1 provide an outside **litter receptacle**, different from the one used for the **garbage** accumulated during the preparation and handling of food. The receptacles must have lids similar to that described in Section 9.1.3
- 9.3 An **owner** or **occupant** of **commercial premises** or other premises utilizing a **commercial bin** shall provide at their own expense a sufficient number of **commercial bins** to contain the waste expected to be generated by users of such **premises** and shall ensure that all such **commercial bins** are:

- 9.3.1 maintained in good condition;
 - 9.3.2 kept in a clean and sanitary condition;
 - 9.3.3 suitably weighted and anchored so that they cannot be inadvertently overturned;
 - 9.3.4 constructed and covered so that they are water proof and animal proof;
 - 9.3.5 of suitable size to contain all waste generated from the premises and from the uses thereof; and
 - 9.3.6 placed in a location convenient for the use of users or **occupants** of the premises to discourage litter or the accumulation of uncontained waste.
- 9.4 All waste generated is to be disposed of at a disposal site at the expense of the **owner** and/or **occupant** of the premises at a frequency that prevents the accumulation of waste as referred to in this Section;
- 9.5 No **person** shall use any commercial bin not equipped with a tight fitting lid which shall be kept closed except when the bin is being loaded or unloaded;
- 9.6 Commercial bins shall not be placed on any **alley**, lane, **street**, **sidewalk**, boulevard, utility right of way or highway within the **Town** unless written approval has been granted by the CAO or designate.

SECTION 10 – INDUSTRIAL AREAS

- 10.1 Industries shall be responsible for their own **industrial waste** disposal.
- 10.2 **Industrial wastes** must be kept in an area blocked from public view and stored in such a way that it does not become a public nuisance until such time as it is disposed of.
- 10.3 **Owner** and/or **occupant** of **premises** may provide commercial and industrial containers for private contract for **collection** of refuse, **garbage** or **industrial waste**.
- 10.4 Where wastes are not excessive, permission may be given to use the waste **disposal grounds**, otherwise, the onus will be on the industry to arrange for disposal.



- 10.5 The **Council** or their designated agents reserve the right to control the type and nature of **garbage** and **industrial waste** which is deposited in any **waste management facility**.
- 10.6 An **owner** or **occupant** of **industrial premises** shall be responsible for expenses for the **disposal** of the waste generated by it.
- 10.7 **Industrial waste** shall not be placed on any **alley**, lane, **street**, **sidewalk**, boulevard, utility right of way or highway within the **Town** unless written approval has been granted by the **Chief Administrative Officer** or designate.

SECTION 11 – CONSTRUCTION ON DEVELOPMENT SITES

- 11.1 **Contractors** or Developers are responsible for **disposal** of their own construction waste.
- 11.2 Any waste on sites must be stacked on sites so as not to cause a nuisance, fire hazard, or injuriously affect the privacy of adjoining properties.
- 11.3 Any Waste on sites must be contained and not allowed to spill over or accumulate on any **street**, lane, or property. Every such person shall be fully responsible for any violation of this Section.
- 11.4 **Contractors** or Developers must ensure that any excavation soil and/or any waste is not placed on any road or laneway without written permission from the **Town**. If permission is given, the **contractor** or developer is responsible for returning the road or laneway to same or better conditions.
- 11.5 **Contractors** or Developers who are given permission to use the **Town's** disposal area must place the **garbage** in the area designated and shall be responsible for any costs involved in cleaning the waste disposal grounds if **garbage** is not dumped in the designated area or shall arrange to have the disposal grounds cleaned at their expense.
- 11.6 All major construction projects (new houses, major house renovations and commercial type buildings) may be required to have a Commercial Container on the construction site during construction.

SECTION 12 – CONVEYANCE OF WASTE

- 12.1 A person who **hauls** waste through the **Town** by a vehicle of any description in a manner so that any portion of the waste detaches itself from the vehicle and falls on property other than property from which it is taken is guilty of an offence under this Bylaw.

- 12.2 **Persons** who collect, **haul**, and dispose of **waste materials** and **ICI waste** shall do so in a sanitary manner, any fluid matter shall be transported in water tight containers and have tight fitting covers.
- 12.3 Every **vehicle** used for the **collection** and **hauling** of **waste materials** shall secure the load using load restraints or other restraining devices and shall be closed or equipped with a tarp used to cover such waste material.
- 12.4 All waste materials shall be transported or **hailed** in such a manner that materials shall not spill or scatter from the vehicle containing the same.
- 12.5 All **vehicles** or containers used for the transportation of waste materials shall be hosed down as required and kept in a sanitary condition.
- 12.6 The **CAO** or designate may inspect **vehicles** used for the collection or carriage of waste materials at all reasonable times to ensure compliance with this Bylaw.
- 12.7 **Haulers** using the **Town** waste management facilities shall comply with the registration requirements of the **Town** including vehicle registration for such Haulers.
- 12.8 The following provisions apply to vehicle registration for **Haulers** using the **Town** waste management facilities:
- 12.8.1 **Haulers** (other than residential users of cars, station wagons, minivans, sport utility vehicles and one ton trucks) using the **Town** waste management facilities shall pre-register identifying information and the tare weight of each **vehicle** as required by the **Town** from time to time;
- 12.9 Subject to this Bylaw, A **person** may deliver to a disposal or processing site or a sanitary landfill, waste or recyclable material collected from property in the **Town**, owned or occupied by the **person**.

SECTION 13 – BURNING REGULATION

- 13.1 There shall be no burning of any **garbage**, refuse or material of any kind within the **Town of Bonnyville**.
- 13.2 The foregoing shall not prevent the use or operation of a residential fireplace or outdoor bar-be-cue.
- 13.3 All grass burning for fire prevention purposes must be done by the Bonnyville Regional Fire Authority.
- 13.4 Exceptions to 13.1 may be authorized by the Bonnyville Regional Fire Authority Fire Chief.

SECTION 14 – DISPOSAL AT TRANSFER STATIONS, LANDFILL, PUBLIC RECYCLING COMPOUND AND OTHER FACILITIES

- 14.1 No **person** who has waste of any description requiring **disposal** shall dispose of it elsewhere than at a **disposal ground** of a type appropriate for the type of waste.
- 14.2 A **person** who has disposed of waste, **contaminated-recycling** or any other material on any land contrary to the provisions of this Bylaw and shall remove the same upon being required to do so by the **scale house attendant, owner, occupant** or **person** in charge of the land, or by the Bylaw Enforcement officer or **Peace Officer**, but such removal shall not prevent the **person** from being prosecuted for a contravention of this section.
- 14.3 If the **person** who has placed waste on land contrary to the provisions of Section 14 of this Bylaw cannot be ascertained or neglects or refuses to remove the waste therefrom; the **scale house attendant, owner, occupant** or **person** in charge of the land shall remove the waste or cause the waste to be removed from the land upon being directed to do so by the CAO.
- 14.4 The **Town** may designate a **transfer station**, landfill or other facility, including a **public recycling compound** depot for the **disposal** of residential **refuse** generated within the **Town**. Proof of residency may be required prior to disposal.
- 14.5 No **person** shall deposit **refuse** at a **transfer station**, landfill or other facility, including a **public recycling compound**, unless the **refuse** is deposited in accordance with the site rules and signage.

- 14.6 The **Town** reserves the right to inspect any load arriving at any **Town** landfill, **transfer station** or other **waste management facility** for unacceptable materials.
- 14.7 Inspection of a load may include automated radiation detection, visual and manual inspection, use of hand held test instruments, and laboratory analysis of the waste involved.
- 14.8 When a load is selected for inspection the vehicle operator shall either comply with the directions of the **Town** staff or shall immediately remove the load from the facility.
- 14.9 **Town** staff may instruct the vehicle operator to dump the load in a designated holding area, may request information regarding the nature and source of the load, and may request that the vehicle operator sign a statement confirming the accuracy of the information given.
- 14.10 Where the **Town** determines through inspection and testing that a load of material is unsuitable for acceptance at a **Town** landfill, **transfer station**, or other **waste management facility**, the customer will be informed of the results and allowed 24 hours, or less where appropriate in which to transport the load from the **Town** facility to a facility licensed by the Province of Alberta for **disposal** of that type of waste.
- 14.11 Where the customer does not comply with the requirement to remove the load within the allowed time period the **Town** reserves the right to arrange for immediate transport and proper **disposal** of the load and to assess a penalty as per the bylaw.
- 14.12 Where a load is determined to be unsuitable for **disposal** at a **Town** facility the customer shall also be liable for all related costs incurred by the **Town** including:
- 14.12.1 inspection costs;
 - 14.12.2 laboratory analysis fees;
 - 14.12.3 administrative fees; and
 - 14.12.4 hauling, disposal, and facility decontamination costs and other associated labor costs where applicable.
- 14.13 The **Town** reserves the right to suspend acceptance of waste loads from any customer with outstanding account fees or penalties resulting from the **Town's** rejection of an unsuitable load.



- 14.14 Where the **Town** determines through an initial inspection of a load that there is a likely presence of radioactive material in the load, the **Town** will subject the load, **vehicle** and driver to further radiation inspection.
- 14.15 Where further evidence of the presence of radioactive material is obtained, the material shall be dealt with in accordance with existing Alberta Provincial Government and Canadian Nuclear Safety Commission regulations.
- 14.16 Notwithstanding anything in this Bylaw contained, no **person** shall dispose of waste, organic or **recyclable materials** or allow waste, organic or **recyclable materials** to accumulate anywhere in a manner that contravenes a provision of the Environmental Protection and Enhancement Act, the regulations made thereunder or a Bylaw of the **Town** relating to health, sanitation or nuisance unless:
- 14.16.1 there is a written agreement with the **owner, occupant** or **person** in charge of **premises**, upon which the waste, organic or **recyclable materials** is to be deposited; and
 - 14.16.2 the waste, organic or **recyclable materials** is deposited and covered as to comply with all the applicable provisions of this Bylaw, all other **Town** Bylaws and the Environmental Protection and Enhancement Act, the regulations made thereunder.
- 14.17 No **person** shall dispose of waste, organic or **recyclable materials** elsewhere than at **disposal grounds** or processing site of a type appropriate for that type of waste, organic or **recyclable materials**;
- 14.18 A **person** who has disposed of waste, or **recyclable materials** on any land contrary to the provisions of Section 14.16 shall remove the same at their expense upon being requested to do so by the **owner, occupant, person** in charge of the land, the Town's **Director of Operations** or designate, under the Environmental Protection and Enhancement Act, and such removal shall not prevent them from being prosecuted for a contravention of this Bylaw;
- 14.19 If a **person** who has placed waste, or **recyclable materials** on land contrary to the provisions of this Bylaw is not known or neglects or refuses to remove the waste or recyclable material there from, the **owner, occupant** or **person** in charge of the land shall remove the waste, organic or **recyclable materials** or cause the waste, organic or **recyclable materials** to be removed, at their expense upon being

directed to do so by the **Director of Operations** or designate under the Environmental Protection and Enhancement Act.

SECTION 15 – GARBAGE CONTRACTORS

- 15.1 **Contractors** shall replace emptied receptacles and the lids in approximately the same location where picked up.
- 15.2 No **Contractor** shall leave **refuse** on the ground which has spilled from the receptacle or the collection vehicle.

SECTION 16 – SPRING OR FALL CLEAN-UP

- 16.1 **Council** may at any time call for Spring or Fall Clean-ups for special occasions.
- 16.2 The **Town** at no extra charge to the residents will provide these extra pick-ups where the provisions of this by-law are met (bagging, boxing, bundling, etc.) for **yard waste**, and **organic materials**.
- 16.3 Residents will be so advised of the special pick-ups through social media, or other advertisements at least one week prior to the dates.

SECTION 17 – HOUSEHOLD HAZARDOUS WASTE & ELECTRONIC WASTE SERVICE

- 17.1 The **Chief Administrative Officer** or designate, may designate the place and the time, including the days and hours of operation and the materials eligible for the **collection of household hazardous waste and e-waste** from within the **Town**.
- 17.2 **Household hazardous waste and e-waste** depots may only be used by residents of the **Town** or any municipal jurisdictions that the **Town of Bonnyville** enters into an agreement with,
- 17.3 All **persons** are prohibited from disposing of industrial, commercial and institutional waste and any materials where facilities already exist to manage them.

SECTION 18 – PENALTIES

- 18.1 Penalties may applied where any **person** is alleged to have breached any of the provisions of this by-law. Any written notice issued under the provisions of this by-law shall be deemed to be sufficiently served if served personally upon the **person** alleged to have committed the breach or upon the **owner**, occupier or other person in charge of the **premises** upon which the breach is alleged to have been committed or if



mailed to the address of the **owner**, occupier or other person in charge of the **premises** upon which the breach is alleged to have been committed.

- 18.2 Every **person** who violates any provision of this by-law is guilty of an offence and liable on summary conviction to a **municipal tag** not exceeding Six Hundred (\$600.00) Dollars, exclusive of costs, for each offence, and in default of payment thereof to imprisonment for a period not exceeding Sixty (60) days.
- 18.3 Any **person** violating any provision of this By-Law, and to whom a notice or **municipal tag** has been issued, may avoid prosecution for the offence by paying the prescribed penalty as set out in Schedule "A" of this by-law, within 15 days, to the **Town of Bonnyville** office either in person or by mail.
- 18.4 Where a designated **Peace Officer** or a Bylaw Enforcement Officer believes a person has contravened any provision of this Bylaw, the Officer may:
- 18.4.1 issue to the **person** an order in accordance with the Municipal Government Act, R.S.A. 2000, c. M-26 to remedy the infraction;
 - 18.4.2 issue to the **person** a violation ticket or **municipal tag** in accordance with the Provincial Offences Procedures Act, R.S.A.2000, c. P-34; or
 - 18.4.3 do both (a) and (b) above.
- 18.5 If the **person** to whom an order has been issued pursuant to this section fails to comply with the order within the time specified in the order:
- 18.5.1 That **person** commits an offence under this section, a Bylaw Enforcement Officer or **Peace Officer** may issue a **municipal tag** pursuant to Provincial Offences Procedures Act, R.S.A.2000, c. P-34; and
 - 18.5.2 The **Town** may take whatever steps are necessary to remedy the breach of the bylaw and the cost of doing so becomes a debt owing to the **Town** by the **person** to whom the order was issued in accordance with the Municipal Government Act, R.S.A. 2000, c. M-26.
- 18.6 Any **person** who contravenes a provision of this Bylaw is guilty of an offence and is liable on conviction:



- 18.6.1 for a first offence, to a fine of not less than the penalty shown in Schedule "A" of this Bylaw in respect of that provision; and
- 18.6.2 for a second offence of the same provision within a twelve-month period, to a fine of not less than twice the amount of the penalty shown in Schedule "A" of this Bylaw in respect of that provision.
- 18.7 In addition to any action taken or work done by the **Town** to remedy a contravention of this Bylaw, a **Peace Officer** or Bylaw Enforcement Officer may also issue a **municipal tag** for the same offence.
- 18.8 Payment of a specified penalty of fine or prosecution or conviction for an offence under this Bylaw does not relieve an **owner** or **person** from compliance with any provision of this Bylaw.
- 18.9 A Bylaw Enforcement Officer or **Peace Officer** is hereby authorized and empowered to issue **municipal tags** to any **person** who they have reasonable and probable ground to believe has contravened any provision of this Bylaw.
- 18.10 A violation ticket or **municipal tag** may be issued to such **person**:
- 18.10.1 personally served upon the **person** contravening the Bylaw; or
- 18.10.2 by regular mail upon the **owner** of the property at the address shown on the **Town's** Tax rolls; or
- 18.10.3 placed on or attached in a conspicuous location on the property.
- 18.11 The **municipal tag** shall be in a form approved by the **Chief Administrative Officer** and shall state:
- 18.11.1 the name of the **person**;
- 18.11.2 the municipal or legal description of the land on or near where the offence took place;
- 18.11.3 the offence;
- 18.11.4 the penalty for the offence as set out on Schedule "A" to this Bylaw;



- 18.11.5 that penalty shall be paid within fifteen (15) days of the issuance of the **municipal tag**; and
- 18.11.6 any other information as may be required by the **Chief Administrative Officer** or by the provisions of the Act or the Provincial Offences Procedure Act, RSA 2000, c P-34 as amended.
- 18.12 Where a contravention of this Bylaw is of a continuing nature, further **municipal tags** may be issued by a Bylaw Enforcement Officer or **Peace Officer** provided, however, that no more than one **municipal tag** shall be issued for each day the contravention continues.
- 18.13 Where a **municipal tag** is issued pursuant to this Bylaw; the **person** to whom the **municipal tag** is issued may, in lieu of being prosecuted for the offence, pay to the **Town** the penalty specified on the **municipal tag**;
- 18.14 Where, on a prosecution of an offence pursuant to this Bylaw, a **person** believes a written approval or permission from the **Chief Administrative Officer** or designate provides that **person** with a defense, the onus of proving that approval or permission was given, rests with the **person** relying on the permission or approval.
- 18.15 Nothing in this Bylaw relieves a **person** from complying with any federal or provincial law or regulation, other bylaw or any lawful permit, order, consent or other direction.
- 18.16 Where payment of a penalty for a **municipal tag** is received within 15 days from the date of issue, the voluntary payment shall be reduced by twenty-five (\$25.00) dollars.

SECTION 19 – RATES AND FEES

- 19.1 There shall be levied against each residential **dwelling** unit a monthly charge for waste collection and **disposal** as set out in Schedule “B” attached to and forming part of this Bylaw.
- 19.2 Residential properties up to and including **duplexes and multifamily dwellings** shall be charged the rate outlined in Schedule “B”.
- 19.3 All accounts with the **Town of Bonnyville**, under this section of the Bylaw shall become due and payable in the same manner as the utility services bill with the garbage service fee being added to the said utility bill.
- 19.4 In default by the property **owner** of payment of the said charges, the amount of such sums in default in respect of which the service was provided and such charge shall be subject to the same penalties and

collectible by the same manner as other utilities and accounts receivable deemed by the **Town**.

- 19.5 That, in default of payment by an **occupant** receiving **garbage** service, the amount of the sums in default may be collected by the **Town** by whatever means available.

SECTION 20 – SEVERABILITY PROVISION

- 20.1 It is the intention of **Council** that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of **Council** that if any provision of this Bylaw is declared invalid, all other provision hereof shall remain valid and enforceable.
- 20.2 If a court or tribunal of competent jurisdiction declares any portion of this Bylaw to be illegal or unenforceable, that portion of the Bylaw will be considered to be severed from the balance of the Bylaw, which will continue, to operate in full force.

SECTION 21 – REPEAL OF OLD BYLAWS

- 21.1 Bylaw 963-87 passed June 4, 1987 is hereby repealed.
- 21.2 Bylaw 1076-94 passed May 24, 1994 is hereby repealed.
- 21.3 This Bylaw shall come into force and effect upon third and final reading

INTRODUCED AND GIVEN FIRST READING this 14th day of February, A.D., 2023.

INTRODUCED AND GIVEN FIRST READING this 14th day of February, A.D., 2023.



Mayor



Chief Administrative Officer

GIVEN SECOND READING this 28th day of February, A.D., 2023.



Mayor



Chief Administrative Officer

GIVEN THIRD AND FINAL READING this 28th day of February, A.D., 2023.



Mayor



Chief Administrative Officer

BY-LAW NO. 1543-23

SCHEDULE "A"

PRESCRIBED PENALTY AMOUNTS

Penalties- Violations of	1st Offence	2nd Offence & Subsequent offences
Section 5- Collection General	\$125.00	\$250.00
Section 7- Prohibitions		
Section 11- Construction and Development Sites		
Section 12- Conveyance of Waste		
Section 17- Household Hazardous Waste Service		
Section 9- Commercial and Institutional Areas	\$300.00	\$600.00
Section 10- Industrial Areas		
Section 13- Burning of Waste		
Section 14- Disposal and Transfer Stations, Landfill, Public Recycling Compound and Other Facilities		
Section 15- Garbage Contractors		



TOWN OF BONNYVILLE
BYLAW NO. 1543-23
SCHEDULE "B"
GARBAGE RATES
(EFFECTIVE February 28, 2023)

In accordance with good financial management to cover the costs of providing garbage **collection services** to its residents and to comply with the Waste Control Regulation and the Code of Practice for Landfills, the **Town of Bonnyville** hereby establishes the following fee structure for waste:

RESIDENTIAL RATES

1. Residential - a monthly **base rate** of \$13.42 for household **garbage** collection shall be applied to each residential **dwelling unit/ service user** each billing period.
2. Residential- an additional garbage cart may be purchased for residential **dwelling** units. The **dwelling** will be charged the below fee for the cart and an additional \$9.67 per **billing period** will be applied.
3. For Interpretive Purposes:
 - a) each residential **dwelling** unit including multi-family **dwellings** (except apartments) and **service user** that qualifies for municipal collection shall be charged a **base rate** every **billing period** for **garbage** collection whether or not all units are occupied.

Service Change Request/ Set up fee

Service	Fee
Cart repair	\$25.00
Additional Cart	\$100.00

* Repair fees are not applicable if cart damage is a result of **Automated Collection**

LANDFILL AND TRANSFER STATION TIPPING FEES

Users will be charged at the following rates for tipping fees at the Landfill and Transfer Station Site:

Waste Category	Waste description	Member fee	Non-member fee
Transfer Station	Class II Residential*	\$150.00 per tonne.	\$190.00 per tonne
	Class II Commercial	\$150.00 per tonne	\$195.00 per tonne
	Class II Municipal hauled residential**	\$130.00 per tonne	\$195.00 per tonne
Landfill or Transfer station	Non- sorted mixed class II and III waste	\$300.00 per tonne	\$350 per tonne
Landfill	Clean Clay Fill	No Charge	No Charge
	Clean Concrete	\$15.00 per tonne	\$30.00 per tonne
	Clean Compostables out of Town/ Commercial	\$15.00 per tonne	\$30.00 per tonne
	Clean Burnables (Wood/ trees) Residential	No Charge	No Charge
	Clean Burnables (Wood/ Trees) Out of Town/ Commercial	\$15.00 per tonne	\$30.00 per tonne
	Clean Scrap Metal	\$15.00 per tonne	\$30.00 per tonne
	Class III Construction and Demolition Residential less than 250 kg	15.00	\$30.00
	Class III Construction and Demolition Residential between 250- 500kg	\$25.00	\$50
	Class III Construction and Demolition***	\$80 per tonne	\$185 per tonne
	Appliances without CFC's	\$10.00	\$20.00
	Appliances with CFC's	\$40.00	\$80.00
	Mattresses and sofas	\$10.00	\$20.00
	Batteries	\$3.00	\$6.00
	Propane Tanks < 50lbs	\$5.00	\$10.00
	Propane Tanks >	\$55.00	\$110.00

	50lbs		
	Scrap vehicles	\$30.00	\$60.00
	Used automotive oil (over 100 litres)	\$0.05 per litre	\$0.10 per litre
	Residential Tires (without rims)	No charge	No charge
	Commercial Tires (without rims)	\$5.00 each	\$10.00
	Residential Tires (with rims)	\$5.00 each	\$10.00
	Commercial Tires (with rims)	\$10.00 each	\$20.00
	Fluorescent light bulbs	No charge	No Charge
	Asbestos	Not accepted****	Not Accepted

Notes:

The non member Tipping fee is applicable to waste from outside the municipal boundaries of the Beaver River Regional Waste Commission or Non-Member Municipalities from within the Boundaries.

** To be used in situations where a municipality in the commission hauls non mixed Class II waste into **Transfer Station**.

***Separation of waste may be required further to the above noted categories, i.e., treated wood, scrap metals, etc..

****The Town of Bonnyville Public Works Department will maintain a list of hazardous waste contractors that could assist in the event waste is refused at Town of Bonnyville Landfill.

Materials not accepted at the landfill:

All paint thinners, unknown or unidentifiable waste, toxic chemicals. contaminated soils.

Approved this 14 day of February, A.D., 2023.



Mayor



Chief Administrative Officer