

BYLAW 1774-11
OF THE
CITY OF WETASKIWIN
IN THE PROVINCE OF ALBERTA

A BYLAW OF THE CITY OF WETASKIWIN, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A WASTE MANAGEMENT BYLAW AND TO REPEAL BY-LAW NO. 1680-07 AND ITS AMENDMENTS.

This Bylaw may be cited as the “Waste Management Bylaw”.

100. DEFINITIONS

101. In this bylaw all definitions in the Act shall apply.
102. Interpretations of this bylaw shall be consistent with the requirements of the Act.
103. In this bylaw:
- a. APARTMENT HOUSE means a building which is either occupied or intended to be occupied by more than three families living independently of one another upon the same premises and includes, but is not limited to:
 - i. condominiums that do not fit the definition of a Townhouse as described in 103 jj;
 - ii. senior citizens’ self-contained units in a complex of more than three units;
 - iii. hotels, licensed cabins, motels and any other type of premises where the occupants normally reside for limited periods.
 - b. APPLIANCES shall be defined as non-useable household appliances such as washers, dryers, stoves, fridges, freezers, dishwashers, garburators, hot water tanks, water softeners, furnaces, air conditioners, televisions, stereos, radios, VCR’s.
 - c. ASHES means the residue and cinders from any substance used for fuel.
 - d. BIOMEDICAL WASTE shall mean all waste generated in or resulting from the operation of a sick room, funeral home, hospital, medical office, dental office, medical clinic, dental clinic, veterinary clinic or biological research station which contains or may contain pathogenic agents, pathological agents, or which may cause

disease in persons exposed to such waste, and includes all human tissue, blood, organs, body parts and fluids.

- e. BURNABLE WASTE means non-offensive, combustible materials such as trees, brush and clean untreated wood products only.
- f. CITY means the municipal corporation of the City of Wetaskiwin.
- g. CITY OF WETASKIWIN SANITARY LANDFILL means the Sanitary Landfill owned and operated by the City of Wetaskiwin located at NW ¼-27-46-24-W4.
- h. COLLECTION AREA means the location within the corporate limits of the City of Wetaskiwin from which refuse collection shall be made.
- i. CONCRETE/ASPHALT SITE means the Sanitary Landfill owned and operated by the City of Wetaskiwin located at NW ¼-27-46-24-W4.
- j. COMMERCIAL PROPERTY/ESTABLISHMENT means a business engaged in the direct retailing of goods or provision of services to the final consumer.
- k. COMPOST means grass cuttings, leaves, weeds and garden waste, but does not include putrescible materials, shrubbery or tree prunings, manure, tree stumps, roots, turf or earth.
- l. CONTRACTOR means any person who has been awarded and has signed the garbage collection contract with the City of Wetaskiwin.
- m. COUNCIL means the Municipal Council of the City of Wetaskiwin.
- n. DOMESTIC WASTE means all non-hazardous materials coming from residential dwellings, not including restricted waste as per Schedule "E".
- o. DUPLEX means any building or place occupied or used as a residence by two families.
- p. DWELLING means any building or place occupied or used as a residence or place of living by one family (including mobile homes) but does not mean apartment house as per item 103 (a). Each individual residence shall be considered a separate dwelling unit.
- q. E-WASTE as defined by the Alberta Recycling Management Authority.

- r. FOUR-PLEX means any building or place occupied or used as a residence or place of living by four families.
- s. GENERATOR means a person or company that produces waste.
- t. HAZARDOUS LIQUID WASTE means hazardous waste with a moisture content in excess of 30%.
- u. HAZARDOUS WASTE means a hazardous chemical as defined by the Environmental Protection And Enhancement Act (Alberta) and regulations thereunder; any waste which contains a radioactive material as defined by the Atomic Energy Control Act (Canada) and regulations thereunder; any waste which contains material as defined by the Atomic Energy Control Act (Canada) and regulations thereunder; any waste which contains trichorophenal, pentachorophenol, free cyanides or polychlorinated biphenyls; any liquid waste which contains arsenic, cadmium, chromium, lead, mercury, nickel, selenium or thallium concentrations greater than 99 milligrams per kilogram; any liquid waste which contains an organic solvent in concentration greater than 999 milligrams per kilogram; any pesticides, herbicides, explosives, quick lime, sewage sludge, septic tank pumpings, oil, combustible liquids, batteries, poisons, acids, caustics; any container used to transport any such waste and any other waste which presents an unusual disposal problem for reasons of health or safety.
- v. INDUSTRIAL PROPERTIES/ESTABLISHMENTS means places that carry on one or more of the following activities: the manufacturing, processing, assembling, cleaning, repairing, servicing, testing storage, warehousing, distribution or transshipment of materials, goods, products or equipment.
- w. COMMERCIAL/INDUSTRIAL WASTE is solid, liquid or gaseous waste material from all industrial or commercial establishments.
- x. INSTITUTIONAL PROPERTIES means places where the occupants reside for limited periods, including, but not limited to, senior citizens' residences and hospitals.
- y. LIQUID WASTE shall mean any liquid other than hazardous waste with a moisture content in excess of 30%.
- z. PEACE OFFICER means a member of the Royal Canadian Mounted Police, a member of a Municipal Police Force, a Community Peace Officer, a Fish and Wildlife Officer or a Bylaw Enforcement Officer.

- aa. PERMIT means a document which the City of Wetaskiwin grants a person the authority to dispose specific material named on the permit at the City of Wetaskiwin Sanitary Landfill and certifies that fees as per the schedule of this bylaw have been paid.
- bb. PERSON means any person, firm, partnership, association, corporation, company or organization of any kind.
- cc. PICKUP LOCATION means the location designated by the City where waste receptacles must be placed for collection.
- dd. PROHIBITED WASTE means waste not acceptable at the City of Wetaskiwin Sanitary Landfill (see Schedule “D”).
- ee. RECYCLABLE PRODUCT means any material accepted in or around the City of Wetaskiwin for the purpose of reuse.
- ff. REFUSE means all decayable materials resulting from the handling, preparation, cooking, consumption and storage of food, along with the following materials: broken dishes, rags, cast-off clothing, excelsior, sawdust, food containers, plastic, shrubbery and tree prunings; but does not include manure, tree stumps, roots, turf, earth, furniture, major household appliances, discarded auto parts or such waste matter as may accumulate as a result of building construction, renovation or repair.
- gg. RESTRICTED WASTE shall be defined as anything collected at the Wetaskiwin Recycling Centre (see Schedule “E”).
- hh. SOLID WASTE means refuse, trade waste and all other solid materials that can be disposed of at the City of Wetaskiwin Sanitary Landfill.
- ii. STREET means any public roadway used by waste collection vehicles to gain access to the boundary of a private property from which garbage or refuse is being collected.
- jj. SUBSCRIPTION PROGRAM means a fee for service program for residential solid waste collection charged on the utility bill, allowing the residents to choose and pay for.
- kk. TOWNHOUSE means an apartment house that has three or more independent living units constructed side by side with each unit having its own front and rear entrances.
- ll. TRADE WASTE shall be understood to include the material from manufacturing processes, stable manure, slaughter house offal, butchers offal, dead animals, waste from garages, condemned

matter or waste from plants or other works, automobiles, truck bodies or used farm machinery, building construction, renovation and repair.

mm. UTILITY shall mean and include, as the context may require:

- i. the supply of water;
- ii. the provision of waste water collection and disposal;
- iii. the provision of solid waste services including collection and disposal of solid waste from dwelling units;
- iv. the provision of solid waste reduction services for residential premises.

nn. WETASKIWIN RECYCLING CENTRE means the recycling depot located adjacent to the City Public Works yard located at 5707-51st Street, Wetaskiwin.

200. PREPARATION OF WASTE MATTER FOR COLLECTION

201. A person shall not put out or permit to be put out any additional solid waste for collection other than what they have subscribed to as per Section 401 of this Bylaw.
202. A person shall not put or permit to be put out solid waste for collection during Spring and Fall Cleanup unless clippings from shrubs and trees commonly called "brush" are compactly and securely tied in bundles not exceeding 1.2m (4 ft) in length nor 25kg (55lbs) in weight, and placed beside the refuse receptacles when no alley exists, or in the alley when present.

300. COLLECTION

301. All residential collection shall be done at the front street curb unless otherwise authorized by the Public Works Superintendent.
302. No person, being the owner, occupant, tenant or person in charge of any building or premises shall put out or permit to be put out for collection any waste, refuse or ashes in receptacles of any type except those defined in Section 500 herein. Any other receptacles may be removed by the collectors as waste.
303. No person shall fill or permit to be filled any garbage receptacle to a height that will not allow the closure of the lid.

304. No collection of refuse shall be made from any receptacle that its weight, with its contents, exceeds 25 kilograms (55 pounds), except an automated residential container as defined in Section 500.
305. The City shall provide a waste container to appropriate dwellings. These containers will be assigned to each utility account holder and will become the responsibility of the account holder. The City will retain ownership of the containers.
306. Residential collection shall be administered by a subscription program as defined by Council.
307. Nothing in this bylaw shall be deemed to require the collection by the City of Wetaskiwin of any trade waste, commercial/industrial waste, construction waste, hazardous waste or liquid waste, and all such materials shall be conveyed by the owner at their expense to an appropriate disposal facility.
308. All solid waste material that is collected by the Municipality or its contractor becomes the property of the Municipality and shall be disposed of under terms or conditions that Council directs.
309. The Public Works Superintendent shall approve schedules for the collection of waste.
310. Solid waste shall be at the pick-up location by 7:00 a.m. on the morning of the collection day.
311. If a civic holiday occurs on the collection day and the landfill is closed, collection will be made within two days of the holiday.
312. No person shall dispose of garbage into another person's garbage collection area or receptacle without the consent of that person.
313. Pick-up will be on a weekly basis. Additional pick-ups will be scheduled if and when required at the discretion of the Public Works Superintendent.
314. No person, being the owner, occupant, tenant or person in charge of any dwelling or townhouse in the City shall put out any garbage, refuse, waste or ashes for collection unless such waste is first contained in a sufficient number of receptacles to contain such material between pick-ups. The number of receptacles as described in Section 400 shall be limited to the options of the subscription program as chosen by the resident. If the quantity of solid waste cannot be contained in the chosen subscription, each person shall have the option of increasing their subscription rate or making their own arrangements to dispose of the excess material.

315. The City shall not collect nor be responsible for the collection of solid waste from four-plexes, commercial, industrial and institutional premises, building projects, condominiums, townhouses with more than three (3) units, or any townhouse that does not have an entrance abutting a public roadway which can be accessed by a collection vehicle. A four-plex that has four (4) individual utility accounts may have the option to request City pick-up of their waste.
316. The owners and occupants of apartment houses, commercial, industrial and institutional premises and building projects shall be responsible for the disposal of all waste generated by or from such premises.
317. The Public Works Superintendent may, at their sole discretion, allow additional receptacles as described under Section 500 herein over and above the quantities outlined in Section 314, if there are circumstances that the City feels justifies the additional receptacles.

400. SUBSCRIPTION PROGRAM

401. The owner or an occupant of each residence except those identified in Section 315, and for which a city utility account has been established, must subscribe to one of the following three refuse removal services:
- a. One receptacle to a volume not to exceed 121 litres; or
 - b. One receptacle to a volume not to exceed 242 litres; or
 - c. One receptacle to a volume not to exceed 363 litres.
402. If a residential user fails to subscribe to one of the three refuse removal services, the service user of the residential parcel is deemed to have subscribed for the three-container service.
403. Townhouses of three (3) units or more may opt out of the service by declaring themselves commercial users.

500. RECEPTACLES

501. Receptacles or solid waste receptacles shall mean a receptacle that is supplied by the City.
502. Solid waste shall not be collected in any receptacle which has not been supplied by the City.

600. LOCATION OF RECEPTACLES

601. A person shall not keep or permit to be kept any solid waste receptacles upon any lane, street, boulevard, sidewalk or highway of the City.

602. The City shall designate or approve all collection locations and the owner, tenant or occupant shall maintain pick-up locations for solid waste receptacles and the following regulations apply:
- a. the pick-up location serving a dwelling shall not be further from the street than the front property line of the dwelling;
 - b. solid waste receptacles shall not be placed for collection prior to 7:00 p.m. of the day preceding the regular collection day;
 - c. solid waste receptacles must be returned to their storage location within twelve (12) hours of being emptied.
603. The collection vehicle of the City will not enter onto private property to collect waste unless written authorization is given by the landowner and the Public Works Department.
604. Where there is a retaining wall, steep slope or other obstruction between the lane from which the solid waste is collected and the pick-up location, the refuse receptacles shall be placed at a convenient height to enable the collector to obtain them from the lane level.
605. A person, being the owner, occupant, tenant or person in charge of any property or premises shall maintain or ensure that the lane in the rear of the said property or premises to the centre line thereof and the storage location on the property are maintained in a clean, tidy and orderly condition.
606. All authorized collectors of waste may enter yards of any person at all reasonable times for the purpose of carrying out their duties.
607. Any person, being the owner, occupant, tenant or person in charge of any property or premises who puts out solid waste for collection shall provide unobstructed and convenient access for collection of such waste.

700. TRANSPORTATION OF WASTE

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

800. CITY OF WETASKIWIN SANITARY LANDFILL

The City operates a Sanitary Landfill on the South half of NW 27-46-24-W4.

801. All solid waste entering the City of Wetaskiwin Sanitary Landfill shall be weighed at the scale installed at the entrance to the landfill. The charges for dumping the different categories of waste are set out in Schedule "B".
802. All solid waste being disposed of shall be deposited in the designated areas.
803. No person shall remove any solid waste product deposited in the City of Wetaskiwin Sanitary Landfill unless authorized by the Public Works Superintendent.
804. No person may enter the City of Wetaskiwin Sanitary Landfill except to deposit solid waste products or unless approved by the Public Works Superintendent.
805. No liquid or hazardous waste shall be deposited at the City of Wetaskiwin Sanitary Landfill unless authorized, in writing, by the Public Works Superintendent. Any such approval shall only be for temporary storage of such waste.
806. No person shall be allowed to dispose of anything whatsoever in the City of Wetaskiwin Sanitary Landfill unless authorized by the Public Works Superintendent through the registration process.
807. The hours of operation shall be determined by City Council.
808. A person shall not deposit solid waste at the City of Wetaskiwin Sanitary Landfill site unless the following conditions are met:
 - a. all solid waste is deposited in accordance with the directions of the landfill attendant and in accordance with the appropriate signs at the sites;
 - b. all solid waste is deposited in a manner which will minimize scattering by the wind;
 - c. all solid waste shall be sorted and deposited in the designated areas as defined by the Public Works Superintendent.
809. It shall be unlawful for any unauthorized person to enter a City of Wetaskiwin Sanitary Landfill site for the purpose of salvaging, picking over, scattering, searching or burning any material.
810. The Public Works Superintendent shall specify conditions and items of disposal for solid waste at the landfill, and may refuse disposal of solid waste, which is deemed unsuitable for the City of Wetaskiwin Sanitary Landfill.

811. No person shall dispose of hazardous waste at the landfill.
812. The following conditions shall apply to industrial waste:
- a. All generators and carriers of industrial waste shall correctly complete any manifest required by the City or Provincial Government. All instructions associated with the use of a manifest shall be strictly obeyed.
 - b. The generator of industrial waste that requires special handling or is a hazard or potential hazard to health, safety or the environment shall, in writing, satisfy both the City and Provincial Government that the waste can be safely handled at the City of Wetaskiwin Sanitary Landfill.
 - c. No industrial waste shall be accepted at a landfill site or transfer station when its contents are unknown or the disposal procedure is in doubt.
 - d. Generators and carriers of industrial waste shall cooperate with the City and/or Provincial Government personnel in taking samples of the waste at the City of Wetaskiwin Sanitary Landfill.
813. The Public Works Superintendent may authorize the removal of any person from or refuse entry to for violating the terms of this bylaw at the City of Wetaskiwin Sanitary Landfill.

900. WETASKIWIN RECYCLING CENTRE

901. Only appropriate materials shall be deposited at the Wetaskiwin Recycling Centre.
902. A person shall not deposit recyclables at the City's Recycling Centre unless the following conditions are met:
- a. all recyclables are deposited in accordance with the directions of the recycling attendant and in accordance with the appropriate signs at the site;
 - b. all recyclables are deposited in a manner which will minimize scattering by the wind;
 - c. all recyclables shall be sorted and deposited in the designated areas as defined by the Public Works Superintendent.
903. The hours of operation shall be determined by the Public Works Superintendent in consultation with Council.

1000. WASTE MANAGEMENT FEES

1001. All rates and fees contained in this bylaw shall take effect upon date of approval.
1002. When the weigh scales are inoperative, charges shall be applied on a volume basis.
1003. If an account for waste management fees remains unpaid for more than sixty (60) days, the private hauler may be refused admittance to the landfill or transfer station until such arrears are paid.
1004. Residential waste management fees will be charged on the utility bill upon installation of a water meter and the generation of a utility account, regardless of whether or not any waste is placed out for collection.
1005. If a consumer shall only partially pay a utility invoice, all monies paid shall, notwithstanding any contrary direction from the consumer, be applied towards the payment of the amount due under such invoice on the following order:
- a. penalties;
 - b. arrears of charges for all utility services;
 - c. current solid waste service charges;
 - d. current wastewater charges;
 - e. current water charges.
1006. The Public Works Superintendent may designate a Spring and Fall Clean-up program. The week of Spring and Fall Clean-up shall be designated for waiver of residential tipping fees at the City of Wetaskiwin Sanitary Landfill for City residents only.

1100. ENFORCEMENT

1101. It shall be the duty of the Chief Administrative Officer or his delegate or a peace officer to enforce the provisions of this bylaw.

1200. PROHIBITIONS

1201. No person shall burn solid waste material within the City limits.

1300. OFFENCES AND PENALTIES

1301. Any person who contravenes the provisions of the bylaw is guilty of an offence and liable upon summary conviction to a fine of not less than one hundred dollars (\$100.00) and in default of such fine to imprisonment for a term not to exceed 6 months.

1302. Notwithstanding the provisions of Section 1301, any person who contravenes the provisions of this bylaw may be issued with a violation ticket by a peace officer in the amount specified in Schedule "C" attached hereto and forming part of this bylaw.

1400. NON-COMPLIANCE WITH BYLAW

1401. A person shall not deposit or permit to be deposited any type of solid waste on any City highway or property.

1402. If a person, being the owner, occupant, tenant or person in charge of any building or premises has been given an order to remedy any condition contrary to any part of this bylaw and neglects or refuses to comply with such an order within the time specified, the same may be done by the City of Wetaskiwin at the expense of the person in default. All expenses incurred shall be in addition to and not a substitute for any fines or penalties to which the person may be subject pursuant to the provisions of this bylaw. On default of payment of these expenses, the City may recover the expenses thereof with the costs, by action or in like manner as municipal taxes.

1403. Any person issued with an order under Section 1302 shall comply with such order.

1404. Upon production of a violation ticket issued, pursuant to this Section, within seven (7) consecutive days from the date of issue, together with the payment, to the City of Wetaskiwin, of the fee as provided in Schedule "C" of the bylaw, the person to whom the violation ticket was issued shall not be liable for prosecution for the contravention in respect of which the violation was issued.

1405. Where any waste is used or put out or left in violation of any provision of this bylaw, the owner, occupant, tenant or person in charge of the property where the violation occurs is liable for the penalty imposed for the violation of the bylaw.

1500. SEVERABILITY

1501. If a court of competent jurisdiction should declare any Section or Subsection of this bylaw to be invalid, such Section or Subsection shall not be construed as having persuaded or influenced Council to pass the remainder of the bylaw, and it is hereby declared that the remainder of the bylaw shall be valid and remain in force.

1502. In the event of a conflict between any of the provisions of this bylaw and the provisions of any other bylaw of the City, the provisions of this bylaw shall prevail.

1600. GENERAL PROVISIONS

1601. Nothing in this bylaw shall be deemed to supersede or repeal any provisions of the Fire bylaw or the Public Health bylaw.
1602. Schedules A, B, C, D, and E form part of this bylaw.
1603. Except as otherwise stated, the management of this bylaw will be by the Public Works Superintendent.
1604. The Public Works Superintendent is hereby authorized to do all things necessary in order to fulfill their responsibilities and duties under this bylaw.

Bylaw number 1680-07 and all its amendments are hereby repealed.

This bylaw comes into effect on February 1, 2011

READ a first time this __10th__ day of ____January____, 2011

READ a second time this _10th_ day of ____January____, 2011

READ a third time this _10th_ day of ____January____, 2011

ORIGINAL SIGNED

MAYOR

ORIGINAL SIGNED

CHIEF ADMINISTRATIVE OFFICER

BYLAW NO. 1774-11
SCHEDULE "A"

SUBSCRIPTION PROGRAM AND RECEPTACLE FEES

A. SUBSCRIPTION PROGRAM

121 litre toter per week	\$14.50 per month
242 litre toter per week	\$29.00 per month
363 litre toter per week	\$43.50 per month

B. AUTOMATED CONTAINERS

The 121-litre or 242-litre or 363-litre automated containers shall be assigned from the City of Wetaskiwin at no additional cost to the utility account holder.

BYLAW NO. 1774-11
SCHEDULE "B"

CITY OF WETASKIWIN SANITARY LANDFILL USER FEES

<u>Tipping Fee</u>		\$ 95.00 per tonne
	Minimum fee per load (100 kg)	\$ 10.00
<u>CONCRETE AND ASPHALT</u>		\$ 25.00 per tonne to a maximum of \$75.00
<u>Compost</u>	Compostable materials (City residents only)	Free
<u>Burnable waste (Residential)</u>	(City residents only) trees free of charge	Regular Tipping Fee
<u>Burnable waste (Commercial)</u>	Minimum fee per load (100kg.)	\$ 95.00 per tonne \$ 10.00
<u>Volume Basis</u>	(As described in Section 1002)	\$ 10.50 per m ³
<u>Commercial Solid Waste (local)</u>	Minimum fee per load (100 kg)	\$ 95.00 per tonne \$ 10.00
<u>Non-Resident Tipping Fee for all solid waste, compost, burnable waste, concrete asphalt</u>	Minimum fee per load (up to 210 kg)	\$ 105.00 per tonne \$ 25.00
<u>Untagged Appliances</u> (containing freon/refrigerant)		\$ 15.00 Recovery Fee plus Tipping Fee
<u>Tagged Appliances</u> (freon/refrigerant removed)		Tipping Fee

The City reserves the right to enter into separate agreements with other parties.

BYLAW NO. 1774-11
SCHEDULE "C"

PENALTIES

Penalties that will be accepted by the City of Wetaskiwin in lieu of prosecution.

The penalties shall apply to:

Section 200 – Preparation of Waste Matter for Collection

Section 300 – Collection

Section 600 – Location of Receptacles

Section 700 – Transporting of Waste

Section 800 – City of Wetaskiwin Sanitary Landfill

Section 1200 – Prohibitions

Section 1400 – Non-compliance with bylaw

Schedule "D" – Prohibited Waste

The penalties shall be as follows:

First offence	\$ 100.00
Second offence	\$ 500.00
Third offence	\$1,000.00

BYLAW NO. 1774-11
SCHEDULE "D"

PROHIBITED WASTE

HUMAN WASTE (except disposable diapers)

LIQUID WASTE

BIOMEDICAL WASTE

CARCASSES

SEWAGE

WASTE FROM CAR WASHES

HAZARDOUS WASTE

HAZARDOUS LIQUID WASTE

PROPANE TANKS

OIL, OIL FILTERS AND OIL CONTAINERS

WET-CELL BATTERIES

*Waste from automobile body shops should be thoroughly inspected.

All materials in the above categories are prohibited from entering the landfill unless special permission has been obtained from the Public Works Superintendent. The scale house operator should contact the bylaw department if problems arise when rejecting prohibited materials.

Loads with liquids dripping will not be accepted.

No chemicals, paints, mineral fillers or toxic materials or liquids contained in questionable containers will be accepted. Landfill operator will have discretion as to acceptance of other materials.

All materials entering the landfill must be sorted and piled in the appropriate storage area.

BYLAW NO. 1774-11
SCHEDULE "E"

RESTRICTED WASTE

CORRUGATED CARDBOARD

NEWSPAPER

MIXED PAPER

BOXBOARD

METAL CANS

COMPOST

GLASS

HOUSEHOLD PLASTIC #1 TO #7

E-WASTE

Other recyclable items as the market becomes available.