

**TOWN OF PEACE RIVER
BYLAW NO. 2042**

BEING A BYLAW OF THE TOWN OF PEACE RIVER IN THE PROVINCE OF ALBERTA FOR THE COLLECTION, REMOVAL AND DISPOSAL OF MUNICIPAL SOLID WASTE, REFUSE AND ASHES, AND TO SET THE RATES FOR SUCH SERVICES

WHEREAS under the provisions of Section 7 of the Municipal Government Act, Chapter M-26, R.S.A. 2000 and amendments thereto, the Council may, by Bylaw provide for services to be provided by the municipality.

WHEREAS the Council of the Town of Peace River wants to establish a system for waste management to provide for the collection, removal and disposal of municipal solid waste including refuse and ashes.

NOW THEREFORE the Council of the Town of Peace River, in the Province of Alberta, duly assembled, hereby enacts as follows:

1 TITLE

This Bylaw may be cited as the "Municipal Solid Waste Bylaw".

2 DEFINITIONS

In this Bylaw:

- 2.1** 'Approved Refuse Container' means a garbage cart approved and provided by the Town of Peace River.
- 2.2** 'Ashes' means the residue of any substance used as fuel;
- 2.3** 'Commercial Premises' means the site, including any buildings erected thereon, of any cafe, restaurant, hotel, store, warehouse, wholesale or retail business place, office building, factory, industry, or any other site or building except one that is used or intended to be used for residential purposes;
- 2.4** 'Designated Location' means a street, laneway or other location as required and designated by the Town.

- 2.5 'Landfill' means the Refuse disposal area or site designated by the Town;
- 2.6 'Lawn and Garden Refuse' means grass cuttings, leaves and twigs less than one (1) inch in diameter that is generated by the Householder.
- 2.7 'Multiple Family Dwelling's means any building or group of buildings used or intended for use as residential dwellings made up of more than four dwelling units such as Townhouse developments or multi-story apartment buildings;
- 2.8 'Non-Collectible Refuse' means:
- a. Liquid Waste;
 - b. Carcass of any animal;
 - c. Swill, manure, hay, straw, or any other Organic Material not properly drained or wrapped;
 - d. Celluloid cuttings, moving picture film, ammunition, oil or gasoline soaked materials, liquid chlorine, acid or any explosive or combustible materials;
 - e. Needles, syringes, or any other similar device used, or capable of being used, for the injection or extraction of liquid substances, including bodily fluids;
 - f. Oil tanks or drums unless such items are halved or have both ends removed;
 - g. Biomedical waste; or
 - h. Lead acid batteries, low-level radioactive waste, sewage, PCBs (Polychlorinated Biphenyls), asbestos.
- 2.9 'Organic Material' includes, but is not limited to, food waste, houseplants, grass cuttings, garden waste, soiled paper towels, tissues and wet paper and any other item which may be designated as organic material by the CAO from time to time.

- 2.10 'Person' includes a firm or corporation;
- 2.11 'Plastic Bag' means a plastic bag designed for the disposal of domestic Refuse that is free of holes, tears and rips;
- 2.12 'Private Refuse Container' means a metal or plastic garbage container provided by a resident for residential refuse, or a proprietor for trade refuse. Garbage containers shall be manufactured for the purposes of containing refuse and be complete with a lid to contain refuse. The Sanitary Inspector may request that a private refuse container be replaced if not deemed acceptable to the Town for the storage of refuse.
- 2.13 'Proprietor' means the owner, occupant, lessee or tenant, or any other person in charge of multiple family dwellings or commercial premises;
- 2.14 'Recyclable Refuse' means residential and commercial refuse as per Schedule B - Recyclable Materials;
- 2.15 'Refuse' includes garbage, ashes, trade refuse and any other waste matter, including bottles, metals, cans or tins, crockery, glass, iron, metal scraps, grass cuttings and other garden waste, cloth, paper, wrappings, sweepings and all other similar items that accumulate in the household or result from commercial or industrial operations.
- 2.16 'Refuse Collector' means the person, or persons, authorized by the Town to collect, remove and dispose of refuse from residential premises, and the person, or persons, authorized by a Proprietor to remove and dispose of refuse from multiple family dwellings or commercial premises;
- 2.17 'Resident' means any owner, occupant, lessee, tenant or any other person in charge of any building or other dwelling used, or intended for use, as a residential Premises, excluding multiple family dwellings;
- 2.18 'Residential Premises' means any site including any building erected thereon that is used or intended for use for residential purposes including single family dwellings,

duplexes, triplexes and fourplexes;

- 2.19 'Sanitary Inspector' means a sanitary inspector who is appointed by the Town and/or a Bylaw Enforcement Officer as appointed by the Town;
- 2.20 'Tag' means a ticket purchased from the Town that can be placed upon a garbage bag which identifies that an additional fee has been paid for such bag to be collected and disposed of by the Refuse Collector;
- 2.21 'Town' means the Town of Peace River; or where the context so requires the area contained within the municipal boundaries of the Town;
- 2.22 'Trade Refuse' means every type of refuse from a commercial premises, including refuse resulting from the construction, repair, decorating, clearing or grading of commercial premises;
- 2.23 'Violation' Tag means a tag or similar document issued by the Sanitary Inspector or other person authorized to issue violation tags;
- 2.24 'Violation Ticket' means a ticket issued pursuant to part III of the *Provincial Offences Procedure Act* and amendments thereto.

3 GENERAL PROHIBITIONS

- 3.1 No Person shall collect, dispose of or remove refuse except in accordance with the provisions of this Bylaw.
- 3.2 All refuse shall be disposed of in an approved refuse container. All residential property owners shall ensure that a cover is kept on the refuse container at all times except when the refuse container is being filled or emptied.
- 3.3 Cardboard boxes shall not be used for the storage or disposal of Refuse. Cardboard boxes may only be used for the containment of cardboard for recycling.
- 3.4 No Person other than a Householder, Proprietor, Sanitary

Inspector, or the Refuse Collector shall open any refuse container or in any way disturb the contents thereof or handle, interfere with or disturb any Refuse put out for collection or removal.

- 3.5 No Person other than the Refuse Collector, Householder or Proprietor shall make collections of refuse from residential or commercial premises.
- 3.6 No Person shall deposit any dead animal or part thereof, manure, excrement, loose refuse, liquid waste or other filth upon or into any street, service lane, alley, highway, ditch, well, lake, pond, river, stream or water course.
- 3.7 No Person shall deposit any dead animal or part thereof, manure, excrement, loose refuse, liquid waste or other filth upon onto any land within the Town, except with the written consent of the Sanitary Inspector.
- 3.8 No Person shall directly or otherwise dispose of or permit any person to dispose of any explosive, volatile, noxious or dangerous device, substance or thing, including hot ashes or burning matter, in any Refuse Container.
- 3.9 No person shall operate a vehicle transporting Refuse within the Town unless the refuse is completely enclosed, securely covered or secured so as to prevent any portion of the refuse from falling off of or out of the vehicle while in transit.
- 3.10 All Householders and Proprietors shall at all times ensure that refuse is kept within a refuse container, and not allow refuse to spill over or accumulate on any land or street or adjoining public or private property.
- 3.11 All Householders and Proprietors shall keep the portion of lane clear from the designated pickup location to the centre line of the lane to enable the sanitation truck to retrieve the approved refuse container, and private refuse containers as may be applicable from time to time.
- 3.12 For approved refuse containers the Sanitary Inspector may, by written notice, direct any Person to promptly provide:

- a. Replacement of the approved refuse containers if the current container is in such a condition of disrepair as to prevent the collection of the refuse;
- b. Approved refuse containers that are no longer functional due to normal wear and tear will be replaced by the Town. Where approved refuse containers are no longer functional due to abuse or damage by the resident will be replaced by the Town, and shall be billed to the resident at the current replacement cost value.

3.13 For private refuse containers the Sanitary Inspector may, by written notice, direct any Person to promptly provide:

- a. Additional private refuse containers acceptable to the Sanitary Inspector to store the refuse generated at the premises during the period between refuse collections; and
- b. Private refuse containers to replace private refuse containers that are in such disrepair that they cannot be securely sealed to contain the refuse.

4 COMMERCIAL AND MULTIPLE FAMILY DWELLINGS

- 4.1 The Town shall not collect or dispose of refuse from commercial premises or multiple family dwellings.
- 4.2 Proprietors of commercial premises or multiple family dwellings must:
 - a. At their sole cost, arrange for the collection and disposal of refuse from their premises on a regular basis;
 - b. At their sole cost, provide sufficient private refuse containers to contain the refuse generated from the premises;
 - c. Dispose of refuse by placing or causing the refuse to be placed in a private refuse container;
 - d. Utilize only those styles of private refuse container

approved by the Sanitary Inspector for the storage of refuse;

- e. Ensure that covers or lids on private refuse containers are kept securely over the mouth of the container at all times except when the container is being filled or emptied;
- f. Locate approved and private refuse containers as required under the Land Use Bylaw and any development permit in effect for the premises; and
- g. Are responsible to maintain a clean and orderly area around their private refuse containers.

5 RESIDENTIAL PREMISES

- 5.1 The Refuse Collector shall collect and dispose of refuse from residential premises on the days and at such times as the Town may schedule.
- 5.2 For residents that may have mobility issues that have previously arranged with the Town Administration, the Refuse Collector shall have the right to enter such portion of a residential property as may be required for the purpose of collecting of approved and private refuse containers designated for collection.
- 5.3 For residential collection it is the responsibility of residents to:
 - a. Place approved refuse containers by 7:00 am on the collection day, and no earlier than 24 hours prior to 7:00 am on the day collection;
 - b. Place private refuse containers containing additional tagged refuse by 7:00 am on the collection day;
 - c. Place the approved and private refuse containers in the location designated by the Town with the wheels of the cart against the curb as may be applicable;
 - d. Place the approved refuse container so that 1.0 metre of

- clearance around the container is maintained;
- e. Place the private refuse containers within 4.0 metres of the approved refuse containers;
 - f. Ensure that all snow is removed 1.0 metre from the refuse containers (approved and private) placed for collection; and
 - g. Remove their refuse containers (approved and private) from their designated collection point within 48 hours of the scheduled collection time (7:00 am). Failure to remove the refuse containers within the allotted time may be subject to a fine as designated in article 6 of this Bylaw.
- 5.4 The quantity of refuse generated from a residential premise during the period between refuse collections shall be contained within the approved refuse container with the lid closed. Additional refuse shall be bagged and properly tagged for disposal and stored in a private refuse container acceptable to the Sanitary Inspector between collection days with the lid closed. Each garbage bag shall have a volume not exceeding 67 (sixty-seven) litres; and shall not exceed 22.7 kg (50 lbs.) in weight.
- 5.5 Excess refuse from a residential premise may be disposed of in a properly tagged plastic bag and placed for collection in a private refuse container. The Refuse Collector shall not collect and dispose of excess refuse in plastic bags if a tag has not been affixed.
- 5.6 The Refuse Collector shall, in addition to collection and disposal of refuse from residential premises, collect recyclable refuse as defined by the Town of Peace River on the days and at such times as the Town may schedule. Recyclable refuse shall be placed in the designated location on collection days. Residents are responsible for keeping the designated location clear so as to enable the Refuse Collector to collect the recyclable refuse.
- 5.7 For residents that may have mobility issues that have previously arranged with the Town Administration, the

Refuse Collector shall have the right to enter such portion of a residential property as may be required for the purpose of collecting recyclable refuse designated for collection.

- 5.8 Lawn and garden refuse may only be placed in the approved refuse container or properly tagged plastic bags to be considered as refuse in quantities outlined above.
- 5.9 If a properly tagged plastic bag that has been placed out for collection and disposal becomes ripped or torn prior to its collection by the Refuse Collector, or if refuse has spilled from the plastic bag during collection due to sub-standard bag material, the Householder shall collect the spilled refuse. If the Householder fails to collect the spilled refuse within forty eight (48) hours, the Town reserves the right to remedy the situation and the costs incurred by the Town shall be a debt due and payable to the Town immediately upon invoicing.

6 PENALTIES

- 6.1 Where any Person is alleged to have breached any of the provisions of the Bylaw, the Town may serve upon such Person a written notice in the form of a violation ticket specifying the breach and requiring a voluntary payment
- a. for a first offence a fine of one hundred dollars (\$100.00);
 - b. for a second offence a fine of five hundred dollars (\$500.00); and
 - c. for a third or subsequent offence a fine of one thousand dollars (\$1000.00).
- 6.2 Any written notice issued under the provisions of this Bylaw shall be deemed to be sufficiently served if served:
- a. Personally upon the Person alleged to have committed the breach;
 - b. Upon the Proprietor or Householder of the premises upon which the breach is alleged to have been

committed; or

- c. If mailed to the address of the Proprietor or Householder of the premises upon which the breach is alleged to have been committed.

6.3 Voluntary payments shall be made within ten (10) working days of the date of issue of the violation ticket. If not paid by that time, the amount shall be added to the property taxes as a debt due and payable to the Town, pursuant to Section 553(1) of the *Municipal Government Act*.

6.4 All costs incurred by the Town of Peace River for any clean up or firefighting services where a breach of this Bylaw has occurred shall be invoiced to the property owner. Such invoices shall be paid within thirty (30) days.

6.5 If an invoice issued under Section 6.4 is not paid within thirty (30) days the amount owing shall be added to the property taxes as a debt due and owing to the Town, pursuant to Section 553(1) of the *Municipal Government Act*.

7 RATES AND CHARGES

7.1 All residential premises within the municipal boundaries shall have a refuse account, and shall be imposed a charge in accordance with the rates established in Schedule "A" of this Bylaw

7.2 Each month the Town shall impose a charge on each refuse account in accordance with the rates and fees Bylaw established in Schedule "A" of this Bylaw.

7.3 Householders may purchase Tags from the Town at the rate established in Schedule "A" of this Bylaw. Each Tag shall be valid from the date of purchase with no expiry date.

8 REPEAL

8.1 Bylaw No. 1989 dated 14 November 2016 is hereby repealed.

9 SCHEDULES

9.1 Schedule "A" form part of this Bylaw.

9.2 Schedule "B" form part of this Bylaw.

10 SEVERABILITY

10.1 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

11 EFFECTIVE DATE


11.1 This Bylaw shall come into force and have effect on the date of third and final reading.

READ a first time this 28 day of January, 2019.

READ a second time this 28 day of January, 2019.

READ a third and final time this 28 day of January, 2019.

SIGNED by the Mayor and Chief Administrative Officer this 29 day of January, 2019.



Thomas Tarpey
Mayor



Christopher J. Parker
Chief Administrative Officer

SCHEDULE "A"

RATES AND FEES	
Tag for additional bag pickup	\$ 2.00 per bag
Collection fee for Single Family Residential Premises	\$17.00 per month
Collection fee for Duplex Residential Premises	\$17.00 per month per unit or
	\$34.00 per month per Duplex
Collection fee for Triplex Residential Premises	\$17.00 per month per unit or
	\$51.00 per month per Triplex
Collection fee for Fourplex Residential Premises	\$17.00 per month per unit or
	\$68.00 per month per Fourplex
Replacement of Approved Bins	Current replacement cost

SCHEDULE "B"

RECYCLABLE MATERIALS

1. **Clean Containers** means a designated type of recyclable materials including:
 - Steel and tin cans;
 - Plastic containers such as plastic bottles with a twist off top, yogurt containers, margarine containers; or
 - Other similar material designated by the CAO from time to time

2. **Paper Fibre Materials** means a designated type of recyclable material including:
 - Mixed paper;
 - Corrugated cardboard;
 - Newsprint;
 - Box board;
 - Magazines;
 - Catalogues;
 - Flyers;
 - Telephone or other soft books;
 - Paper egg cartons; or
 - Other similar material designated by the CAO from time to time.