

TOWN OF OLDS

Bylaw 2005-21

A Bylaw of the Town of Olds in the Province of Alberta for the MAINTENANCE of a SYSTEM for the COLLECTION, REMOVAL and DISPOSAL of WASTE.

WHEREAS the Waste Control Regulation Number AR 192/96 provides a duty and responsibility of citizens for the control of litter on public and private property, and:

WHEREAS Paragraph 7 of the Municipal Government Act, Chapter M-26.1 1994 and amendments thereto provide for the passing of a by-law by a Municipal Council Public Utilities within the Town and,

WHEREAS Waste Management is defined as a Public Utility.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF OLDS, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

SHORT TITLE

This Bylaw may be referred to as the WASTE MANAGEMENT BYLAW No. 2005-21 of the TOWN OF OLDS.

SECTION 1 – DEFINITIONS

1.1 IN THIS BYLAW

- a. **Agricultural Waste** shall mean manure, straw, hay, spoiled or treated grain, screenings, or like material which would result from agricultural or agricultural processing activities.
- b. **Automated Collection** shall mean a method of collection by which a specially equipped vehicle can mechanically pick up and empty a specifically designed container or receptacle.
- c. **Biological Waste** shall mean the carcass and offal of an animal in whole or in part, animal or human excrement or manure.
- d. **Collector** shall mean an employee or agent of the Town whose duty shall be to collect specified waste from dwellings and other premises.
- e. **Constable** shall mean a member of the Royal Canadian Mounted Police or a Special Constable as appointed by Alberta Justice and the Town of Olds.

SECTION 1 – DEFINITIONScont'd
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- f. **Compostable Waste** shall mean all kitchen and table remains, meats, fish, fruits, vegetables and other like spoilage waste or decomposing matter, grass, clippings and leaves.
- g. **Construction Waste** shall mean wood, gypsum board, concrete, roofing, metal, gravel, asphalt, packaging, containers, or other material, which may result from the construction, renovation or demolition of any building or other work.
- h. **Depot** shall mean any location or locations designated by the Town for the collection of designated waste.
- i. **Dwelling** shall mean any building or place including the land upon which the premises is located, which is occupied or used as a place of abode other than a hotel, restaurant or apartment house.
- j. **General Waste** shall mean ceramic, rags, cast-off clothing, food containers, packaging, wood, ashes excepting those generated from incinerators, and other nondecaying materials not exceeding ten pounds in weight or four feet in any dimension.
- k. **Liquid Waste** shall mean any non-toxic waste in a liquid state.
- l. **Other Premises** shall mean any building or place, including the land upon which the premises is located, which is occupied or used for;
 - i. commercial or industrial purposes, or;
 - ii. government or institutional purposes, or;
 - iii. an apartment house containing more than four dwelling units.
- m. **Out-of-Town Waste** shall mean any waste not emanating from within the corporate limits of the Town of Olds.
- n. **Recycle Waste** shall mean recyclable tin cans, glass, paper, cardboard, metal, tires batteries, paint, appliances, and any other waste designated to be recyclable by the Town.
- o. **Town** shall mean the Town of Olds.
- p. **Toxic Waste** shall mean ashes generated by an incinerator and any other solid, liquid or gaseous substance defined by the Province of Alberta toxic and/or hazardous.
- q. **Wood Waste** shall mean dry and burnable or recyclable wood products.

SECTION 1 – DEFINITIONScont'd

- r. **Yard Waste** shall mean tree stumps, tree trucks, branches, roots, turf, and other nonputrescence materials, which may exceed ten pounds in weight or four feet in dimension.

SECTION 2 – GENERAL

- 2.1 The owner or occupant of a Dwelling or other premises shall be responsible to:
- i) prevent the accumulation of waste at a Dwelling or other premises to the point where an unsanitary, unsafe or unsightly condition develops.
 - ii) store all waste in such a manner as to prevent any material from being scattered, blown, spilled or otherwise dispersed, to prevent any odours from escaping or any nuisance from being caused.
 - iii) bag all General Waste and place it in the container or receptacle assigned.
 - iv) not overfill the container beyond its normal, lid closed, capacity.
 - v) keep that portion of the lane and street adjacent to the Dwelling or Other Premises from the property line to the centerline of street or lane, in a clean and tidy condition and free from waste.
 - vi) dispose, in a proper manner at an approved site any waste for which the Town or its agent does or does not accept responsibility for collection and disposal.
 - vii) where directed, comply with any requirements to separate any materials for separate collection and disposal.
 - viii) place front street roll-out bins against the curb on the street and remove within (12) twelve hours of collection.
 - ix) place bins for alley pick up off of the driving portion of the alley as to allow room for the collection truck and other traffic.
- 2.2 The Town shall be provided with Automated Collection and the Town shall designate the type and location of receptacle or container that must be used for the storage and placement for collection of designated waste pursuant to this Bylaw.
- 2.3 The Town may direct that certain waste may be disposed within a designated site in the Town.
- 2.4 The Town and any owner, occupant or employee thereof of a Dwelling or Other Premises “SHALL” deliver any designated waste to a location designated by the Town for disposal.
- 2.5 The Town shall not be responsible for the collection or disposal of any Biological or Toxic Waste.

SECTION 3 – COLLECTIONS

- 3.1 The Collector shall provide collection of General Waste within the Town, at a time or day determined by the Town.
- 3.2 The Collector shall provide collection of General Waste from commercial premises as required.
- 3.3 Except where special arrangements have been made with the Collector the Collector shall not be responsible for the collection of Agricultural, Construction, Liquid or Yard Waste. Disposal of such waste shall be pursuant to Section 5 DISPOSAL.
- 3.4 Notwithstanding anything in this Bylaw the Collector may to collect any material defined as waste which is not acceptable for disposal by the Collector or which otherwise in the opinion of the Collector may create a danger to the health or safety of those collecting such waste.
- 3.5 The Collector may provide collection of Compostable Waste within the Town, at a time or day determined by the Town.
- 3.6 Notwithstanding the provisions of this Bylaw, the Collector may make such special arrangements for the collection of waste as may be appropriate.
- 3.7 The Collector shall have the right to enter at all reasonable times such portions of ANY LAND as may be required for the purposes of performing the duties assigned under the authority of this Bylaw.

SECTION 4 – RECYCLING / COMPOSTING

- 4.1 For the purposes of facilitating the recycling of materials, composting or accommodating the disposal requirements of the Collector the Collector may direct that Recycle and Compostable Waste be segregated for separate collection and disposal.
- 4.2 All Recycle Waste shall be placed into the appropriate containers at Recycling Depots designated by the Collector.
- 4.3 All Compostable Waste shall be placed into an approved compostable container designated by the Collector including appropriate containers setup at designated Depots, excluding commercial grass cuttings.

SECTION 5 – DISPOSAL

- 5.1 The following waste may be disposed at locations as directed by the Town, or its agent:
- a. Agricultural Waste
 - b. Construction Waste
 - c. Wood Waste
 - d. Yard Waste
 - e. Out-of-Town Waste
- 5.2 Liquid Waste may be disposed of at the Town Sewage Treatment Plant with the approval of the Town.

SECTION 6 – FEES

- 6.1 There shall be levied on each owner or occupant of a Dwelling or Other Premises a fee for the collection and disposal of waste as determined in accordance with the appropriate section of the Town of Olds Rate Bylaw.
- 6.2 Such fee shall be levied through and included within the utility billing issued pursuant to the Town of Olds Waterworks, Sewers and Plumbing Bylaw and all provisions regarding the administration, payment or collection of utility bills contained in the said bylaw shall also apply with such modification as may be appropriate, to fees and charges set out in the Rate Bylaw.
- 6.3 Notwithstanding Section 6, Subsection 6.1 and 6.2 such fees may be levied by the Town's agent
- 6.4 Notwithstanding Section 6 – Subsection (6.1) and (6.2) the fee charged under the Bylaw for collection and disposal may be suspended if the Dwelling is anticipated to be vacant or otherwise unoccupied over a period exceeding three (3) months.
- 6.5 To qualify for a suspension in fees pursuant to Section 6 – Subsection (6.3) the owner or occupant of a Dwelling shall complete a disconnection application on the prescribed form at the Town office and may be required to make a declaration.
- 6.6 Any user may elect to have fees under this bylaw paid by pre-authorized debit.
- 6.7 Billing and collection of fees related to this bylaw shall be undertaken by the Town's agent according to their policies or according to procedures given by the Town of Olds Waterworks, Sewers and Plumbing Bylaw or other bylaws respecting waterworks and sewers in the Town of Olds.

SECTION 7 – PROHIBITIONS

- 7.1 No person other than an employee, contractor or agent of the Town shall handle, move or remove any container or receptacle. Nothing in this Section removes compliance with Section 2.1 (viii).
- 7.2 No owner, occupant or employee of a Dwelling or Other Premises, in the Town shall:
 - a. dispose of any waste at a location not designated by the Town for disposal.
 - b. place any waste at a Dwelling or Other Premises at which they are not the owner, occupant or employee.
 - c. place any waste into a container or receptacle that is not designated for their use.
 - d. overfill a container beyond its normal, lid closed, capacity.
- 7.3 No person shall cause any Out-of-Town waste to be placed in any container or receptacle except:
 - a. recyclable cardboard or paper products placed into appropriate containers at designated Depots.
 - b. waste placed at a site designated by the Town in accordance with Section 5 – DISPOSAL.
- 7.4 Any vehicle, conveyance or container used for the transportation of waste shall be fully enclosed or fitted with a suitable cover so as to prevent any material from dropping, spilling or blowing from the vehicle during transit.
- 7.5 No person shall burn or be responsible for the burning of any waste.
- 7.6 Notwithstanding Section 5 – Subsection (5.3) the Town may permit controlled burning:
 - a. under the supervision of the Fire Department of a structure or grass area on nonagricultural land or;
 - b. of grass and stubble on agricultural land, under the adequate and proper supervision of those farming the land
 - c. of ‘Wood Waste’ at any site designated and supervised by the Town.
- 7.7 No person shall dispose of Toxic or Biological Waste within the corporate limits of the Town of Olds.
- 7.8 No commercial grass cutting businesses shall place grass clippings in any Community container or receptacle. Such products shall be disposed of in a manner approved by the Town.

SECTION 7 – PROHIBITIONScont'd

- 7.9 No person shall:
- a. block the access to any container or receptacle or any public road so as to prevent the Town from its collection procedure.
 - b. park within twenty-five (25) feet of any fixed bin.
 - c. park on the street during the designated day for roll-out bin collection.
 - d. damage or cause to be damaged, through neglect or misuse, any bin.

SECTION 8 – SUMMARY CONVICTION

- 8.1 Any person who contravenes any provision of this Bylaw is guilty of an offense and is liable on summary conviction to a fine not exceeding \$10,000.00 (Ten Thousand Dollars) or to imprisonment for not more than one year, or to both fine and imprisonment.
- 8.2 If a person is found guilty of an offense under this Bylaw, the court may in addition to any other penalty imposed, order the person to comply with this Bylaw.
- 8.3 The levying and payment of any fine or the imprisonment for any period provided in the Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this Bylaw.

SECTION 9 – VOLUNTARY PAYMENT TICKETS

- 9.1 Where a Constable believes that a person has contravened any provision of the Bylaw, he may serve upon such person a voluntary payment ticket either personally or by mailing or leaving the same at his last known address and such service shall adequate for the purpose of this Bylaw.
- 9.2 A voluntary ticket shall be in such form as determined by the Constable and shall state the Section of the Bylaw which was contravened and the amount which is provided in Schedule 'A' that will be accepted by the Town in lieu of prosecution.
- 9.3 Upon production of a voluntary payment ticket issued pursuant to this Section within fourteen (14) days from the issue thereof together with the payment to the Town of the fee as provided in Schedule 'A' the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was issued.

SECTION 10 – NON-COMPLIANCE

10.1 Notwithstanding any provisions of this Bylaw, the Collector may to collect the waste of any person who does not comply with any of the provisions of this Bylaw.

SECTION 11 – MISCELLANEOUS

11.1 This Bylaw repeals Town of Olds Bylaw Number 01-04.

11.2 This Bylaw comes into full force upon receiving third and final reading thereto.

Read for a first time this 14th day of November, 2005 as amended.

Read for a second time this 14th day of November, 2005 as amended.

Read a third and final time this 28th day of November, 2005.

Judy Dahl,
Mayor

Dale Withage,
Chief Administrative Officer

Signed by the Chief Elected Officer and the Chief Administrative Officer this 29 day of November, 2005

SCHEDULE 'A'

First Offense (All Sections)	\$100.00
Second and all subsequent offenses	\$200.00