

BY-LAW 70-1999

BEING A BYLAW IN THE SUMMER VILLAGE OF SUNRISE BEACH, IN THE PROVINCE OF ALBERTA, TO REGULATE THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, REFUSE, AND ASHES IN THE SUMMER VILLAGE OF SUNRISE BEACH.

WHEREAS under the provisions of Section 7 (f) and (g) of the Municipal Government Act R.S.A. 1994, and amendments thereto, the Council of the Summer Village of Sunrise Beach may, by bylaw, provide for services provided by or on behalf of the municipality and for public utilities; and

WHEREAS Council deems it in the interest of the municipality to ensure the timely and appropriate collection, removal and disposal of garbage, refuse, and ashes;

NOW THEREFORE the Council of the Summer Village of Sunrise Beach duly assembled hereby enacts as follows:

I. TITLE:

- 1. This Bylaw may be cited as the Waste Collection Bylaw.

II. DEFINITIONS:

- 1. In this bylaw:
 - (a) "Bylaw Officer" shall mean each and every member employed and duly sworn in as a Bylaw Enforcement Officer for the Summer Village of Sunrise Beach.
 - (b) "Council" shall mean the duly elected Council for the Summer Village of Sunrise Beach.
 - (c) "Collection Day" shall mean the day or days during each week on which garbage is regularly collected from a specific premises.
 - (d) "Dwelling" shall mean a building occupied for residential purposes, other than a multiple family dwelling.
 - (e) "Garbage" shall mean discarded ashes, crockery, cloth, wrappings, plastics and other items of household refuse, but does not include human or animal excrement, medical wastes such as hypodermic syringes or industrial waste, or animal carcasses.
 - (f) "Garbage can" shall mean a receptacle constructed of non-corrosive durable metal or plastic which shall not exceed 77 litres in volume and which is intended to hold plastic garbage bags.
 - (g) "Garbage Collection Agent" shall mean the person or firm appointed by the municipality for the purpose of collecting and disposing of garbage and refuse.
 - (h) "Garbage stand" shall mean a wooden or metal stand or enclosure designed to hold all garbage cans required by the premises for which the stand is provided, and which shall be so designed as to keep all garbage cans in an upright position at all times, protected from interference from dogs or other animals, and provide for convenient removal of garbage cans or bags.
 - (i) "Householder" shall mean any person occupying any dwelling or place of residence, but shall not include any person who is merely a boarder, roomer, or lodger therein.

(j) "Industrial waste" shall mean materials from excavations, materials from lot clearing and building construction, repairs, alterations, or maintenance, debris from any building removed, or destroyed by fire or any other cause, dead animals, waste from garages.

(k) "Municipality" shall mean the Summer Village of Sunrise Beach.

III. **REGULATIONS**

1. No householder, proprietor, or other person within the municipality shall dispose of garbage **EXCEPT** in accordance with this bylaw.
2. Garbage shall be at the pick-up location by 9:00 a.m. on collection day.
3. Garbage collection shall be every week. on a regular collection date as determined in conjunction with the waste collection contractor.
4. The owner or occupant of every dwelling shall provide sufficient garbage cans to contain the garbage generated from those premises during the period between garbage collections
5. No person shall place or keep any garbage can or receptacle upon any lane or street in the municipality except as specifically provided in this bylaw.
6. Every householder and proprietor shall maintain and keep in good condition sufficient garbage cans as required by this bylaw for all garbage upon the premises owned or occupied by him, and shall ensure that a cover is kept securely over the mouth of all such cans except when said cans are actually being filled or emptied.
7. Every householder, proprietor, or other person shall dispose of garbage upon the premise owned or occupied by him by placing or causing the same to be placed in a garbage can maintained for that purpose, or in such other container as is specifically permitted by this bylaw, but not elsewhere.
8. The owner, tenant, occupant or other person in charge of a dwelling or other building shall at all time ensure that garbage cans, or other receptacles provided for the purpose, are not allowed to spill over or accumulate on any land or street or adjoining public or private property. Every such person shall be held responsible for any violation of this section regardless of the cause of such violation. Failure to contain garbage in approved containers may result in a fine under the Nuisance Bylaw 57-1995.
9. All garbage from such premises shall be placed in garbage cans for collection at a location as close as possible to the traveled portion of an adjacent street, but not on a sidewalk or in such location as to interfere in any way with vehicle or pedestrian traffic.
10. Where garbage cans are placed for collection within any structures, fence or other enclosure, direct access to the garbage cans from the lane or street shall be provided in every case.
11. All garbage shall be placed so that any animal which is outside the residence or any other building can not come within five feet of the garbage containers. If the yard is fenced, the garbage containers must be placed outside of the fenced area. If an animal is tied to ensure said animal can not run at large, the animal's tie must be short enough that the garbage containers are five feet from the end of the tie.
12. Notwithstanding any other provisions of this bylaw, plastic bags of the type designed for the disposal of domestic refuse, being no larger than 24" x 36" in size **may** be used for the disposal of garbage under the following conditions:

- (a) Plastic bags containing garbage shall be kept in a structure, fenced area, or other enclosure except when otherwise placed for pick up on collection day.
 - (b) Plastic bags containing garbage shall be in good repair, and securely closed when deposited for pick-up.
 - (c) Plastic bags, when filled, shall weigh no more than fifty (50) pounds or twenty-three (23) kilograms, and shall be of sufficient strength to be capable for lifting of contents.
 - (d) Plastic bags of garbage shall be placed for collection in the same manner and location as prescribed in this bylaw for garbage cans, and under no circumstances shall they be placed on any lane or street other than on collection day.
13. If clippings from shrubs and trees are placed for collection, they shall be compactly and securely tied in bundles no more than four (4) feet or 1.25 meters in length nor fifty (50) pounds or twenty three (23) kilograms in weight and these bundles shall be placed beside the garbage receptacle for removal.
14. Grass clippings placed for collection will be picked up a minimum of one time per month.
15. No person shall directly or otherwise dispose of or permit any person to dispose of any explosive, inflammable, volatile, noxious or dangerous device, substance or thing in any garbage can. Any person who fails to comply with the provisions of this section shall be deemed to have thereby created an offence and shall be liable to the penalties provided for a breach of this bylaw.
16. No person shall directly or otherwise dispose of or permit any person to dispose of any hypodermic syringes or needles in any garbage can. These are Bio Hazardous Waste and must be discarded in the appropriate manner, which is to place them in an enclosed container and return them to a pharmacy or veterinary clinic.
17. No person shall directly or otherwise dispose of or permit any person to dispose of any feces, whether human or animal, or any carcass of any dead animal in any garbage can. Any person who fails to comply with the provisions of this section shall be deemed to have thereby created an offence and shall be liable to the penalties provided for a breach of this bylaw.
18. Disposal of any refuse by burning must comply with regulations stated in Bylaw 33-1991, The Fire Prevention and Control Bylaw. In the event that refuse is disposed of by burning, the property owner is entirely responsible to see that the burning takes place without danger to other properties or inconvenience to neighbouring properties and the municipality shall in no way be held responsible for any damage or inconvenience experience.
19. No person shall directly or otherwise dispose of or permit any person to dispose of hot ashes, burning matter, or unwrapped wet garbage in any garbage can.
20. Except on collection day, all garbage cans shall be kept and maintained on the premises of the householder or proprietor, and any garbage can located on any street or lane in the municipality, other than on collection day, may be removed and disposed of at the discretion of the Bylaw Office without compensation to the owner thereof.
21. No garbage collection shall be made from the inside of any dwelling.
22. No person other than a lawful user thereof, or any authorized employee of the municipality or garbage collection agent, shall open any garbage cans or remove anything therefrom, or in any way disturb the contents thereof, nor shall any other persons handle, interfere with, or in any manner disturb any garbage of any kind put out for collection for removal.

- 23. When any garbage can has been condemned or is deemed insufficient by the Bylaw Officer, and written notice to that effect has been given to the householder or proprietor, the condemned garbage can may be removed and disposed of along with the garbage from the premises, in which case the householder or proprietor shall forthwith provide a suitable garbage can or container to replace the one that has been condemned and removed.
- 24. No person shall operate a vehicle in the municipality while it is carrying garbage or waste unless that portion of the vehicle in which the material is being carried is securely covered or the material is secured to prevent any part of such material from falling off, or out of, the vehicle while in transit.
- 25. No person shall deposit any dead animal, manure, excreta, refuse, garbage, liquid waste or other filth upon or into any street, ditch, lane, highway, byway, water, well, wharf, dock, lake, pond, river, bank, stream, or onto any land. Any person who fails to comply with the provisions of this section shall be deemed to have thereby created an offence and shall be liable to the penalties provided for a breach of this bylaw.
- 26. All loose paper, paper boxes, straw and other packing or waste material from buildings with the said municipality and all loose grass, weeds, twigs and other combustible matter shall not be allowed to accumulate on any premises within the municipality, but shall be so disposed of as not to create a nuisance and any person who fails to comply with the provisions of this section shall be liable to the penalties provided for a breach of this Bylaw.
- 27. Any person disposing of garbage, trees or tree clippings or other refuse onto private or public property, unless designated as a disposal site within the said municipality, shall be liable to the penalties provided for a breach of this Bylaw.

IV. ADMINISTRATION

- 1. The full cost of garbage collection from dwellings, multiple family dwellings and commercial premises within the areas of the municipality shall be paid out of the general revenue of the municipality as collected through general tax revenue.

V. PENALTIES

- 1. Where any person is alleged to have breached any of the provisions of this bylaw, the municipality may serve upon such person a written notice specifying the breach and requiring payment to such official as the municipality may designate of an amount specified on the notice.
- 2. Any written notice issued under provision V.1 of this bylaw 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.
- 3. Every person who violates any provision of this bylaw is guilty of an offence and liable on summary conviction to a fine not less than one hundred (\$100.00) dollars, or to imprisonment for a term not exceeding one month, or to both fine and imprisonment.
- 4. Where any of the provisions of this bylaw have been deemed to be contravened and an offence ticket has been issued for that contravention, the accused may avoid appearing in court to answer the said charge by submitting to the Village a voluntary payment as follows:

First offence	\$25.00
Second & subsequent offenses	\$50.00

This Bylaw, upon taking effect, rescinds bylaw 7-1989 and any other related to collection and disposal of solid waste.

This Bylaw shall come into full force and effect January 1, 2000.

READ A FIRST TIME THIS 1st DAY OF SEPTEMBER 1999.

READ A SECOND TIME THIS ____ DAY OF _____.

READ A THIRD AND FINAL TIME THIS _____ DAY OF _____.

Mayor

Municipal Administrator