

BYLAW 12:2003

A BYLAW OF THE VILLAGE OF IRRICANA IN THE PROVINCE OF ALBERTA TO ESTABLISH AND REGULATE THE COLLECTION AND DISPOSAL OF REFUSE AND GARBAGE WITHIN THE VILLAGE AND TO ESTABLISH RATES OF CHARGES AGAINST INDIVIDUALS, GROUPS AND BUSINESSES TO WHO A GARBAGE COLLECTION SERVICE IS PROVIDED.

WHEREAS, Section 7 of the Municipal Government Act and amendments thereto provide for the passing of Bylaw by the Village Council to establish rules and regulations for the collecting of garbage and refuse from the householder and places of business and institutions within the Village,

NOW THEREFORE, pursuant to Section 7, Chapter M-26, R.S.A. 2000 and amendments thereto of the Municipal Government Act, the Council of the Village of Irricana, duly assembled, enacts as follows:

THAT

1. This Bylaw be known as the GARBAGE AND REFUSE DISPOSAL Bylaw for the Village of Irricana.
2. In this Bylaw:
 - 2.01 (a) "ashes" means the residue of any substance used as fuel;
 - (b) "building waste" includes all refuse produced while constructing, altering, repairing or demolishing any structure, and it includes but is not limited to earth, vegetation and rock displaced during such construction, alteration, repair or demolition;
 - (c) "commercial premises" means the site, including any buildings erected thereon, of any café, 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;
 - (d) "disposal grounds" means the refuse disposal area or site designated by the Village;
 - (e) "garbage" means the refuse of animal matter, vegetable matter or any other matter which has been used or is intended for use as food;
 - (f) "garbage can" means a circular receptacle constructed of non-corrosive durable metal or plastic; equipped with a water-tight cover and two (2) handles to facilitate handling; having a capacity of not more than four (4) cubic feet, a height of not more than thirty (30) inches and a diameter of not more than twenty-four (24) inches and weighing, when filled, not more than fifty (50) pounds;
 - (g) "householder" means any owner, occupant, lessee 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;
 - (h) "person" includes a firm or corporation;
 - (i) "proprietor" means the owner, occupant, lessee, tenant or any other person in charge of commercial premises;
 - (j) "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, but does not include human or animal excrement or stable refuse;
 - (k) "refuse collector" means the person or persons authorized by the Village to collect, remove and dispose of refuse;
 - (l) "residential premises" means any site including any building erected thereon that is used or intended for use for residential purposes including both single family and multiple family dwellings;
 - (m) "village" means the Village of Irricana

3. GENERAL PROHIBITIONS

- 3.01 No person shall collect, dispose of or remove refuse except in accordance with the provisions of this Bylaw.
- 3.02 No person other than a householder, proprietor or the Refuse Collector shall open any refuse receptacle or in any way disturb the contents thereof or handle, interfere with or disturb any refuse put out for collection or removal.
- 3.03 No person other than the Refuse Collector, householder or proprietor shall make collections of refuse from residential or commercial premises.
- 3.04 No person shall deposit any dead animal, manure, excrement, refuse, liquid waste or other filth upon or into any street, service lane, alley, highway, ditch, well, lake, pond, river, stream or water course or onto any land except with the written consent of the Supervisor of Operations.
- 3.05 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 or toxic waste, in any garbage can, plastic bag or metal garbage container and no person shall directly or otherwise dispose of or permit any person to dispose of any unwrapped garbage in any garbage can or metal garbage container.
- 3.06 No person shall operate within the Village a vehicle transporting refuse unless the refuse is completely enclosed or 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.

4. COLLECTION AND DISPOSAL

- 4.01 All householders and proprietors shall provide and maintain in good condition sufficient garbage cans to contain the normal refuse generated from the premises during the period between refuse collections, and shall ensure that a cover is kept securely over the mouth of all such garbage cans except when same are actually being filled or emptied.
- 4.02 All householders and proprietors shall dispose of refuse upon their premises by placing or causing the same to be placed in a garbage can maintained for that purpose.
- 4.03 All householders and proprietors shall at all times ensure that refuse is kept within the garbage cans or other approved receptacles provided for that purpose, and not allowed to spill over or accumulate on any land or street or adjoining public or private property.
- 4.04 All householders and proprietors shall keep the lane in the rear of their premises to the center line thereof in a clean and tidy condition and free from refuse.
- 4.05 Where any commercial premises are served by a lane, all refuse from such premises shall be placed in garbage cans for collection at a location within five (5) feet of such lane, but not in the lane, and where garbage cans are placed for collection within any structure, fence, or other enclosure, direct access to the garbage cans from the lane shall be provided.
- 4.06 (a) Where any premises is served by a lane, all refuse from such premises shall be placed in garbage cans for collection at a location within five (5) feet of such lane, but not in the lane, and where garbage cans are placed for collection within any structure, fence, or other enclosure, direct access to the garbage cans from the lane shall be provided.
(b) Where any premises is not served by a lane, all refuse 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 a location as to interfere in any way with vehicular or pedestrian traffic.
- 4.07 Notwithstanding any other provision of this Bylaw, plastic bags of the type designed for the disposal of domestic refuse may be used for the disposal of refuse if: the plastic bags containing refuse are kept in a structure, fenced area, or other enclosure at all times other than on a collection day; the plastic bags containing refuse are kept in good repair and securely closed except when refuse is being placed therein; the plastic bags when filled with refuse weigh not more than fifty (50) pounds, and the plastic bags containing refuse are

placed for collection in the same manner and location as is prescribed in this Bylaw for garbage cans.

- 4.08 Clippings from shrubs and trees shall not be put out for collection unless the same are compactly and securely tied in bundles not exceeding four (4) feet in length; all other garden waste, including lawn cuttings and weeds shall be deposited in plastic bags or securely tied in a cardboard box and placed beside a garbage can or other receptacle approved hereunder for removal by the Refuse Collector.
- 4.09 Collections of refuse shall be made by the Refuse Collector on such days and at such times as the Village may appoint and the Refuse Collector shall have the right to enter at all convenient times such portions of all premises within the Village as may be required for the purpose of performing his collection, removal and disposal duties.
- 4.10 The Village shall at any time and from time to time, enter into a contract or contracts with any person, firm or corporation for the collection, removal and disposal of the whole or any part of the refuse accumulated within the Village, or may provide for the collection, removal and disposal of refuse by the use of equipment and employees of the Village.
- 4.11 The Refuse Collector shall not be responsible for the collection and removal of any of the following types of refuse except under a separate agreement with the householder or proprietor and upon payment of such charges as may be set out in such agreement:
 - (a) building waste resulting from the construction, repair, decorating, clearing or grading of a building or premises;
 - (i) The owner of any premises producing building waste shall provide and maintain on the premises in good condition, a sufficient number of waste receptacles or commercial containers, to store the building waste;
 - (ii) Not allow his premises or adjacent premises to become untidy and unsightly because of accumulated building waste;
 - (iii) Periodically deliver and dispose of all building waste to a disposal site at his own expense;
 - (iv) Recapture any building waste which is blown off the premises and immediately place the same in a waste receptacle or commercial container.
 - (b) scrap metal including car bodies, chassis, machinery or parts or garage refuse;
 - (c) refuse which cannot be loaded from garbage cans, plastic bags or metal garbage containers, including such items as tires, auto parts and boxes.
- 4.12 The Village may, by written notice, direct any person to promptly provide additional garbage cans or other approved receptacles or to provide such receptacles in a proper condition where the Village considers either that the number of approved receptacles or their condition is inadequate or insufficient in practice to meet the spirit and intent of this Bylaw.
- 4.13 The Village may, by written notice, require the removal or any accumulation of the types of refuse set forth in Paragraph 4.11 hereof, or any accumulation of dirt, stones, old implements, or automobiles, iron or other rubbish from roads, lanes or other private or public property within the Village by serving upon the householder, proprietor or other person responsible for the deposit of same such written notice outlining the removal requirements. Then in default of its being done by such person, the same may be done by the Village at the expense of such person and the Village may recover its expenses thereof with costs in any Court of competent jurisdiction or in like manner as municipal taxes.

5. CHARGES AND RATES

- 5.01 Charges or rates for garbage collection service shall be as indicated on Schedule "A" of the Bylaw. Such rates or charges become due and are to be paid bi-monthly to the Village of Irricana on the due date specified on the billing.
- 5.02 That in the event a garbage collection bill remains unpaid for a period of sixty (60) days after the date of mailing of the account, there shall be added thereto a penalty in the amount of five (5%) percent on the outstanding balance and the Municipal Administrator shall cause written notice to be served on the delinquent consumer advising that water, sewer and garbage services shall be discontinued to the property unless the account is paid in full within forty-eight (48) hours.
- 5.03 In default of payment of any amounts payable pursuant to this Bylaw, the Chief Administrative Officer may enforce the collection of such rates or payments by transferring outlining utility accounts to the property tax roll (see 6.3 Bylaw 8:2002)

6. PENALTY

- 6.01 Any person violating the provisions of this Bylaw and upon whom a notice or tag has been served may avoid prosecution for the offence by paying the prescribed penalty, as set out below, within seven (7) days, to the Village Office of the Village of Irricana, either in person or by mail:

FIRST OFFENCE	\$75.00
SECOND OFFENCE	\$100.00

- 7. No exceptions will be made for any residents or businesses on garbage charges unless the said resident or business is under separate private container pick-up, and named specifically on the contract with the private company, with a copy of said contract to be filed with the Village Office.
- 8. Bylaw 8:2003 is hereby repealed.
- 9. This Bylaw shall come into full force and effect upon the July/August billing period of 2003.

READ A FIRST TIME this 14th day of July A.D. 2003.

READ A SECOND TIME THIS 17th day of July A.D. 2003.

READ A THIRD AND FINAL TIME this 17th day of July A.D. 2003.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"
TO BYLAW 12:2003

JANUARY 1 – DECEMBER 31, 2004

LIGHT COMMERCIAL PICKUP	One pick-up per week / four (4) bag limit All Commercial \$9.25 (includes GST) per month or \$18.50 (includes GST) on a bi-monthly billing
HOUSEHOLD PICKUP	One pick-up per week / four (4) bag limit All residential \$9.25 (includes GST) per month or \$18.50 (includes GST) on a bi-monthly billing

JANUARY 1 – DECEMBER 31, 2005

LIGHT COMMERCIAL PICKUP	One pick-up per week / four (4) bag limit All Commercial \$9.75 (includes GST) per month or \$19.50 (includes GST) on a bi-monthly billing
HOUSEHOLD PICKUP	One pick-up per week / four (4) bag limit All residential \$9.75 (includes GST) per month or \$19.50 (includes GST) on a bi-monthly billing

JANUARY 1 – DECEMBER 31, 2006

LIGHT COMMERCIAL PICKUP	One pick-up per week / four (4) bag limit All Commercial \$10.25 (includes GST) per month or \$20.50 (includes GST) on a bi-monthly billing
HOUSEHOLD PICKUP	One pick-up per week / four (4) bag limit All residential \$10.25 (includes GST) per month or \$20.50 (includes GST) on a bi-monthly billing

JANUARY 1 – DECEMBER 31, 2007

LIGHT COMMERCIAL PICKUP	One pick-up per week / four (4) bag limit All Commercial \$10.25 (includes GST) per month or \$20.50 (includes GST) on a bi-monthly billing
HOUSEHOLD PICKUP	One pick-up per week / four (4) bag limit All residential \$10.25 (includes GST) per month or \$20.50 (includes GST) on a bi-monthly billing