BYLAW NO. 19-03
VILLAGE OF GIROUXVILLE

A BYLAW OF THE VILLAGE OF GIROUXVILLE, IN THE PROVINCE OF ALBERTA, TO REGULATE THE COLLECTION, REMOVAL AND DISPOSAL OF WASTE, REFUSE, ASHES, RECYCLE MATERIALS AND ORGANIC WASTE IN THE VILLAGE OF GIROUXVILLE.

WHEREAS under the provisions of Section 7 (f) and (g) of the Municipal Government Act R.S.A. 2000, Chapter M-26 and amendments thereto, the Council of the Village of Girouxville may, by bylaw, provide for services provided by or on behalf of the municipality and for public utilities; and

WHEREAS Council deems it is in the interest of the municipality to ensure the timely and appropriate collection, removal and disposal of waste, refuse, ashes, recycle materials and organic waste;

NOW THEREFORE the Council of the Village of Girouxville in the Province of Alberta, duly assembled, enacts as follows:

I. TITLE:

This Bylaw may be cited as the Waste Collection Bylaw.

II. DEFINITIONS

In this bylaw:

a. "Bylaw Officer" shall mean each and every member employed and duly sworn in as a Bylaw Enforcement Officer for the Municipality.

b. "Council" shall mean the duly elected Council for the Municipality.

c. "Collection Day" shall mean the day or days during each week on which waste or recycling is regularly collected from a specific premises, together with the twelve (12) hour period immediately preceding and immediately following that day.

d. "Commercial Premises" shall mean any café, restaurant, warehouse, wholesale or retail business place, office building, garage or service station, factory or industrial plant, any other building or premises except a dwelling or multiple family dwelling.

e. "Compost materials" shall mean grass cuttings, garden refuse, leaves, food wastes (excluding meats, bones or cheese) or other materials which are easily composted but shall no include branches or tree limbs.

f. "Dwelling" shall mean a building occupied for residential purposes.

g. "Garbage bag" shall mean a plastic bag of the type designed for the disposal of domestic refuge.

h. "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.

i) "Multiple family dwelling" shall mean a building or buildings which are, or are intended to be, occupied as a residence by more than two tenants living independently on one another in the same or a separate building, and shall include apartments, boarding or rooming houses, and row housing.

j. "Municipality" shall mean the Village of Girouxville in the Province of Alberta.

k. "Proprietor" shall mean the occupant of commercial premises and the person in charge of a multiple family dwelling and, where such premises are unoccupied, shall mean the owner thereof.

l. "Waste Collection Agent" shall mean the person or firm appointed by the Municipality for the purpose of collecting and disposing of garbage, refuse and recycling materials.

m. "Waste dumpster" shall mean a metal container as supplied by a private contractor.

n. "Waste – Industrial" 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, material from manufacturing processes, dead animals, waste from garages and service stations, condemned matter or waste from factories or other works, or from warehouses, ashes from industrial plants, and other similar waste materials other than human or animal excrement, or residential waste.

o. Waste receptacle" shall mean a receptacle constructed of non-corrosive durable metal or plastic which shall not exceed 240 litres in volume and which is intended to hold plastic garbage bags.

p. "Waste – Residential" shall mean discarded ashes, crockery, cloth, wrappings, plastics, garden and yard waste and other items of household refuse, but does not include recyclable materials as defined in this bylaw, human or animal excrement, medical wastes such as hypodermic syringes or industrial waste, or animal carcasses.

III. REGULATIONS

1. No householder, proprietor or other person within the Municipality shall dispose of waste **EXCEPT** in accordance with this bylaw.

2. Waste shall be at the pick-up location by a set time as determined by the Waste Collection Agent.

3. The maximum number of garbage bags collected per week shall be determined by the Waste Collection Agent (section 13) per dwelling unit.

3.1 Notwithstanding section 3, additional garbage bags or bundles (section 13) will be collected for an additional fee as established by the Waste Collection Agent.

4. The owner or occupant of every dwelling shall provide sufficient waste receptacles to contain the waste generated from those premises. The owner of every multiple family dwelling and the owner of every commercial premises shall provide sufficient waste receptacles to contain the normal waste generated from those premises.

5. Where the waste cannot be contained within six (6) waste receptacles, the owner of every multiple family dwelling and the owner of every commercial premises shall provide waste receptacles sufficient in size and number to store all refuse accumulating on the premises between collections and such container shall be an approved dumpster.

6. No person shall store or keep any waste receptacles in the front yard on days other than the collection day. Any waste receptacle located in the front yard, other than on collection day, shall be removed and disposed of at the discretion of the Bylaw Officer without compensation to the owner.

7. Every householder and proprietor shall maintain and keep in good condition sufficient waste receptacles as required by this bylaw for all waste upon the premises owned and occupied by him, and shall ensure that a cover is kept securely over the opening of all receptacles.

8. The owner, tenant, occupant or other person in charge of a dwelling or other building shall at all times ensure that waste 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 waste in approved containers may result in a fine under the Nuisance Bylaw.

9. Where any premises is served by a lane, all waste from such premises shall be placed in dumpsters at a location within five (5) feet or 1.5 meters of such land.

10. Where any premises is not served by a lane, or the land is deemed inaccessible, all waste from such premises shall be placed in dumpsters 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.

11. Where waste receptacles are placed for collection with any structures, fence or other enclosure, direct access to the receptacles from the lane or street shall be provided in every case.

12. Notwithstanding any other provisions of this bylaw, garbage bags shall be used for the disposal of waste:

a) Plastic bags containing waste shall be in good repair, and securely closed when deposited for pick-up.

b) 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.

13. Clippings from shrubs and trees shall be compacted 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 waste receptacle for removal.

14. No person shall directly or otherwise dispose of or permit any person to dispose of any hypodermic syringes or needles in any waste receptacles. 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.

15. No person shall directly or otherwise dispose of or permit any person to dispose of any carcass of any dead animal in any waste receptacles.

16. No person shall directly or other dispose of or permit any person to dispose of hot ashes, burning matter, or unwrapped wet waste in any waste receptacle.

17. No person other than a person duly authorized by the Landfill Code of Practice shall open any receptacles 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 waste of any kind put out for collection for removal.

18. When any waste receptacle 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 receptacle may be removed and disposed of along with the waste from the premises, in which case the householder or proprietor shall forthwith provide a suitable receptacle or container to replace the one that has been condemned and removed.

19. No person shall operate a vehicle in the Municipality while it is carrying waste material 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.

20. No person shall deposit any dead animal, manure, excreta, refuse, waste, liquid waste or other filth upon or into any street, ditch, lane, highway, byway, water, pond, bank, or onto any public land.

21. All loose paper, paper boxes, straw or other packing or waste material from stores, warehouses and other 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 said Municipality.

22. No person shall dispose waste, trees or tree clippings or other refuse onto public property, unless designated as a disposal site within the said Municipality.

23. The Municipality or its agent shall not be responsible for the collection of waste from "Commercial Premises".

V. ADMINISTRATION

1. The full cost of waste collection from dwellings and multiple family dwellings shall be paid out of the general revenue of the Municipality as collected through fees established by Council.

2. The full cost of waste disposal from dwellings, multiple family dwellings, commercial and industrial premises within the area of the Municipality shall be paid out of the general revenue of the Municipality as collected through fees established by Council.

3. The fee schedule will be based on waste collection and disposal and expenses, charged on a bi-monthly basis set as follows:

   Collection for Residential:

   $ 16.00 - Waste collection fee
   $ 20.50 - Waste disposal fee
   $ 36.50 - Total rate

   Collection for Commercial:

   $100.00 – Total rate for collection and disposal

4. The waste collection fee shall be included on the utility billing. All accounts shall have 30 days from the billing date to pay before a penalty is levied.

5. An interest charge of 1.5% per month shall be imposed on any accounts that remain unpaid after 30 days from the date of mailing of the account.

6. Any unpaid rates or charges provided for under this Bylaw shall, when in default, constitute a lien upon the owners property and shall be subject to the same penalties and collectable in the manner as taxes levied by the Municipality.

IV. 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 remedial action as the Municipality may order.

2. Any written notice issued under provision IV 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 r 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.

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 Municipality a voluntary payment as follows:

First offence - $25.00
Second and Subsequent offences - $50.00

THAT Bylaw No. 08-03 is hereby repealed.

THAT this Bylaw shall take effect on the date of the final passing thereof.

READ a first time this 13th day of March, 2019.

READ a second time this 13th day of March, 2019.

READ a third time and finally passed this 13th day of March, 2019.

MAYOR

MUNICIPAL ADMINISTRATOR