



Town of Manning

TOWN OF MANNING, ALBERTA

BY-LAW 881-20

GARBAGE COLLECTION

BEING A BYLAW OF THE TOWN OF MANNING IN THE PROVINCE OF ALBERTA FOR THE COLLECTION, REMOVAL AND DISPOSAL OF MUNICIPAL SOLID WASTE REFUSE AND ASHES

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 Manning 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 Manning, in the Province of Alberta, duly assembled, hereby enacts as follows:

SEVERABILITY

If any provision of this by-law is declared invalid because of any word, phrase, clause, sentence, paragraph or section of this by-law or any documents which form part of this by-law or an application thereof to any person or circumstance is declared invalid, the remaining provisions shall not be affected thereby, but shall remain in force.

SECTION 1 – SHORT TITLE

1.1 This bylaw may be cited as the “Garbage Bylaw”.

SECTION 2 – DEFINITIONS

- 2.1 “Ashes” means the residue of any substance used as fuel;
- 2.2 “Bylaw Officer” means person appointed by council to enforce provisions set out in this bylaw;
- 2.3 “Commercial Premises” means the site, including any building erected thereon, of any café restaurant, hotel, store, warehouse, wholesale or retail business place, office building, factory, industry, or any other sirc or building except one that is used or intended to be used for residential purpose;
- 2.4 “Designated Location” means a street, laneway or other location as required and designated by the Town.
- 2.5 “Garbage Container” means a receptacle constructed of noncorrosive durable metal, plastic or wood; that meets the Towns criteria for bagged residential waste containment;
- 2.6 “Land Fill” means the refuse disposal area or site designation by an authorized person;
- 2.7 “Lawn and Garden Refuse” means grass cutting, leaves and twigs less than (1) inch in diameter that is generated by the householder;

- 2.8 "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;
- 2.9 "Non-Collectable 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 material;
 - 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;
 - g) Biomedical waste; or
 - h) Lead acid batteries, low-level radioactive waste, sewage, PCBs (Polychlorinated Biphenyls), asbestos.
- 2.10 "Organic Material" includes, but not limited to, food waste, houseplants, grass cuttings, garden waste, solid paper towels, tissue and wet paper and any other item which may be designated as organic material by the CAO from time to time.
- 2.11 "Person" includes a firm or corporation;
- 2.12 "Plastic Bag" means a plastic bag designated for the disposal of domestic refuse that is free of holes, tears and rips;
- 2.13 "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 purpose of containing refuse and be complete with a lid to contain refuse. The Bylaw Officer may request that a private refuse container be replaced if not deemed acceptable to the Town for the storage of refuse;
- 2.14 "Proprietor" means the owner, occupant, lessee or tenant, or any other person in charge of multiple family dwellings or commercial premises;
- 2.15 "Refuse" includes garbage, ashes, trade refuse and any other waste matter, including bottles, metal, 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 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 premise, 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 purpose including single family dwellings, duplexes, triplexes and fourplexes;

- 2.19 "Town" means the Town of Manning; or where the context so requires the area contained within the municipal boundaries of the Town;
- 2.20 "Trade Refuse" means every type of refuse from a commercial premise, including refuse resulting from the construction, repair, decorating, clearing or grading of commercial premises;
- 2.21 "Violation Tag" means a tag or similar document issued by the Bylaw Officer or other person authorized to issue a violation tag(s);
- 2.22 "Violation Ticket" means a ticket issued pursuant to part III of the Provincial Offences Procedure Act and amendments thereto;

SECTION 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, Bylaw Officer, 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 source.
- 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 written consent of the Bylaw Officer.
- 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 accumulated 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 as may be applicable from time to time.

- 3.12 For approved refuse containers the Bylaw Officer may, by written notice, direct person to promptly provide replacement of the approved refuse container if the current container is in such a condition of disrepair as to prevent the collection of the refuse.
- 3.13 For private refuse containers the Bylaw Officer may, by written notice, direct any Person to promptly provide:
- a) Additional private refuse containers acceptable to the Bylaw Officer 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.

SECTION 4 – COMMERCIAL PREMISES

- 4.1 The Town shall not collect or dispose of refuse from Commercial Premises.
- 4.2 Proprietors of commercial premises within the Town of Manning 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, provided sufficient acceptable 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 an acceptable private refuse container;
 - d) Utilize only those styles of acceptable private refuse container approved by the Bylaw Officer 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) Are responsible to maintain a clean and orderly area around their private refuse containers.

SECTION 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 residential collection it is the responsibility of residents to:
- a) Place refuse containers by 7:00 am on the collection day, and no earlier than 2 hours prior to 7:00 am on the day of collection;
 - b) Place the refuse containers in the location designated by the Town;
 - c) Ensure that all snow is removed 1.0 metre from the refuse containers placed for collection; and
 - d) Remove their refuse containers from their designated collection point within 24 hours of the scheduled collection time (7:00 am). Failure to remove the refuse containers within the allotted may be subject to a fine as designated in article 6 of this Bylaw.

- 5.3 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.
- 5.4 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 Lawn and garden refuse will only be accepted when bagged appropriately.
- 5.6 If a plastic bag placed out for collections 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 twenty-four (24) 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.

SECTION 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 two hundred and fifty dollars (\$250.00); and
 - c) For a third or subsequent offence a fine of five hundred dollars (\$500.00).
- 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 Manning for any refuse clean up on a residential premise where a breach of this Bylaw has occurred shall be invoices 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.

SECTION 7 – RATES

- 7.1 All premises within the municipal boundaries shall have a requisition charge imposed on their monthly Town of Manning utility invoice with the rate set out in the Town of Manning Schedule of Fees Bylaw.

SECTION 8 – REPEAL

- 8.1 This By-law hereby repeals By-Law 548/84 & 568/86

SECTION 9 – EFFECTIVE DATE

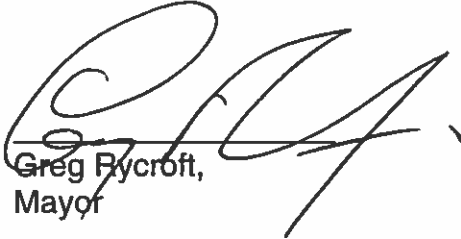
9.1 This Bylaw shall come into force and have effect on the date of third and final reading.

READ A FIRST TIME this 08 day of July


READ A SECOND TIME this 08 day of July

Moved and passed unanimously that the "Garbage Collection Bylaw", be presented for third and final reading.

READ A THIRD AND FINAL TIME this 08 day of July



Greg Rycroft,
Mayor



April Doll
Chief Administrative Officer