

**BYLAW NO. 2015-03
GARBAGE COLLECTION BYLAW**

**A BYLAW TO PROVIDE FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, REFUSE AND
ASHES IN THE TOWN OF TROCHU**

WHEREAS under the provisions of Section 200 of the Municipal Government Act R.S.A. 2000, and amendments thereto, Council may, by bylaw provide for the collection, removal and disposal of garbage, refuse and ashes;

NOW THEREFORE, the Council of the Municipality of the Town of Trochu in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. This bylaw may be cited as the Garbage Collection Bylaw.
2. This bylaw repeals Bylaw #2009-01
3. In this bylaw;
 - a) "Council" means the Council of the Town of Trochu;
 - b) "Collection Day" means the day or days during each week on which garbage is regularly collected from a specific premises, together with the twelve (12) hour period immediately preceding and immediately following that day;
 - c) "Commercial Premises" means café or 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;
 - d) "Compost" Acceptable: clean grass clippings, vegetable peelings, light garden waste, leaves, etc.
Unacceptable: meat scraps, wood, plastic, metal, branches, thick garden stalks, household garbage, etc.
 - e) "Dwelling" means a building occupied for residential purposes, other than a multiple family dwelling;
 - f) "Garbage" means discarded ashes, bottles, metal scraps, metal cans or tins, crockery, glass, grass cuttings and other garden refuse, cloth, paper, food and food waste, wrappings, sweepings, and other items of household refuse, but does not include human or animal excrement or industrial waste;
 - g) "Garbage Can" means a receptacle constructed of non-corrosive durable metal or plastic to hold plastic garbage bags;
 - h) "Garbage Collection Agent" means the person or firm appointed by the Town for the purpose of collecting and disposing of garbage and refuse;
 - i) "Garbage Stand" means 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, and protected from interferences from dogs and other animals;
 - j) "Householder" means any person occupying any dwelling or place of residence, but shall not include any person who is merely a boarder, roomer, or lodger therein, or any occupant of a multiple family dwelling;

- k) "Industrial Waste" means material from excavations; material from lot clearing and building construction, repairs, alterations, or maintenance; debris from any building being 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 material other than human or animal excrement or garbage;
 - l) "Multiple family dwelling" means a building or buildings which are or are intended to be, occupied as a residence by more than two tenants living independently of one another in the same or separate building; and shall include apartments, hotels, motels, boarding and rooming houses, and row housing and also includes any room or suite of rooms in any building containing any commercial premises;
 - m) "Bylaw Officer" shall mean each and every member employed and duly sworn in as a Bylaw Enforcement Officer;
 - n) "Proprietor" means the occupant of commercial premises and the person in charge of a multiple family dwelling and, where such premises are unoccupied, means the owner thereof;
 - o) "Town" means the Town of Trochu.
4. No householder, proprietor, or other person within the Town shall dispose of garbage except in accordance with this bylaw.
 5. All garbage must be securely bagged and/or boxed; loose garbage is unacceptable.
 6. Residential garbage has a three bag per week limit. 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. Tags for additional bags are available for an extra cost at the Town Office.
 7. The owner of every multiple family dwelling and the owner of every commercial premise shall provide sufficient garbage cans to contain the normal garbage generated from those premises during the period between garbage collections.
 8. All cardboard boxes shall be flattened and may be securely contained within another cardboard container. For commercial users that have arranged for pickup the cardboard will be recycled providing sufficient bin space and manpower is available. Residential customers that wish to recycle their cardboard and/or newspaper may deliver the items directly to the transfer site and deposit them as per recycling guidelines.
 9. No person shall place or keep any garbage can or receptacle for industrial waste upon any lane or street in the Town except as specifically provided in this bylaw.
 10. Every householder and proprietor shall maintain and keep in good condition sufficient garbage cans 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.
 11. Every householder, proprietor, or other person shall dispose of garbage upon the premises 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.

12. The owner, tenant, occupant or other person in charge of a dwelling or other building shall at all times 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.
13. Where any premise is served by a lane, all garbage from such premises shall be placed for collection at a location within 5 feet or 1.5 meters of such land, but not in the lane.
14. Where garbage for collection is stored within any structure, fence, or other enclosure, direct access to the garbage cans or bags from the lane shall be provided in every case.
15. Where any premises is not served by a lane, or the lane is deemed inaccessible all garbage from such premises shall be placed for collection at a location as close as possible to the travelled 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.
16. 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 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 pickup on collection day.
 - b) Plastic garbage bags containing garbage shall be in good repair, and securely closed when deposited for pickup.
 - c) Plastic bags when filled shall weigh not more than 50 pounds or 23 kgs and 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.
17. Garbage shall be at the pickup location by 7:30 a.m. on collection day.
18. Clippings from shrubs and trees shall be compactly and securely tied in bundles not more than four (4) feet or 1.25 meters in length or fifty (50) pounds or 23 kgs in weight and placed beside receptacle for removal.
19. All acceptable compost material placed in a separate, defined compost container will be picked up as manpower and time permits. Persons are permitted to deliver compost materials to the transfer site during regular transfer site hours.
20. No person shall directly or otherwise dispose of or permit any person to dispose of any explosive, inflammable, volatile, noxious, dangerous device or, hazardous substance in any garbage can.
21. Disposal of any refuse by burning is not permitted unless a permit in writing to do so has been received from the Fire Department. In the event that a permit to burn is issued, the applicant is entirely responsible to see that the burning takes place without danger to other properties or inconvenience to neighbouring properties and the Town shall in no way be held responsible for any damage or inconvenience experienced.

22. No person shall directly or otherwise dispose of or permit any person to dispose of hot ashes, or burning matter in any garbage can.
23. Except on collection day, all garbage cans and/or bags 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 Town other than on collection day may be removed and disposed of at the discretion of the Bylaw Officer without compensation to the owner thereof.
24. Staff shall not enter any dwelling or, the basement or upper floors of any multiple family dwelling or commercial premises for the purpose of garbage collection.
25. No person other than a lawful user thereof, or any authorized employee of the Town or garbage collection agent shall open any garbage can or remove anything therefrom, or in any way disturb the contents thereof; nor shall any other person handle, interfere with, or in any manner disturb any garbage of any kind put out for collection or removal.
26. When any garbage can has been condemned or is deemed insufficient by a Town representative 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.
27. No person shall operate a vehicle in the Town while it is carrying garbage or industrial 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.
28. 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 except with the written consent of the Town. 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.
29. All loose paper, paper boxes, straw and other packing or waste material from stores, warehouses and other buildings within the Town and all loose grass, weeds, twigs and other accumulate on any premises with the Town, shall be so disposed of as not to create a nuisance. 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.
30. Any person disposing of garbage, tree or tree clippings, or other refuse onto private or public property, unless designated as a disposal site within the Town, shall be liable to the penalties provided for a breach of this Bylaw.
31. The full cost of garbage collection from dwellings, multiple family dwellings, and commercial premises within all areas of the Town shall be paid out of the general revenue of the Town.

32. The Town reserves the right to control the type and nature of refuse which may be deposited in the disposal grounds and no refuse may be deposited in the disposal grounds except in accordance with such guidelines as the Town may, from time to time, set.

33. RECYCLING

- a) Though the Town is supportive of recycling it may not at this time "pickup" designated recycle items. The Town does offer the user the option of delivering designated recycle items to the transfer site during regular transfer site hours.

34. BILLING REGULATIONS

- a) Invoices detailing garbage collection charges and where applicable, deposits, due date, interest penalty for late payment, and arrears shall be issued to the consumer and, payment made in accordance with the current Rate & Fees Bylaw.
- b) An invoice showing the current service charges to the user every two (2) months (February, April, June, August, October and December) and payment for the amount due for garbage collection charges shall be issued at the first of the month following the end of the two (2) month consumption period or as otherwise required. Said charges shall be due and payable when the account is rendered. Failure to receive an account invoice shall in no way affect the liability of the consumer to pay the amount.

35. ACCOUNT SETUP

- a) Current accounts which have been setup in the name of renters shall be honored until the renter has moved out and the amount has been paid in full and the account closed. The account for this property will then be named in the property owners' name.
- b) New accounts will only be setup in the name(s) of the property owner. The property owner is responsible for the utility account in full.

36. PENALTIES

- a) Where any person is alleged to have breached any of the provisions of this Bylaw, the Town may serve upon such person a written notice specifying the breach and requiring payment to such official as the Town may designate of an amount specified on the notice.
- b) Any written notice issued under the provisions 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 premise upon which the breach is alleged to have been committed.

37. 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) and not exceeding five hundred (\$500.00) dollars, or to imprisonment for a term not exceeding one month, or to both fine and imprisonment.

38. 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 to the said charge by submitting to the Town voluntary payment as follows:

First Offence \$25.00
Second & Subsequent Offenses \$50.00

39. This bylaw shall come into full force and effect upon the final passing thereof.

Read a first time this 9th day of Feb. 2015.

Read a second time this 9th day of Feb. 2015.

Read a third time and passed this 9th day of Feb. 2015.

X

BARRY KLETKE
MAYOR

X

CARL PETERSON
CAO