

BY-LAW # 13-2006

TOWN OF SLAVE LAKE

A BY-LAW OF THE TOWN OF SLAVE LAKE IN THE PROVINCE OF ALBERTA, BY VIRTUE OF THE MUNICIPAL GOVERNMENT ACT, BEING CHAPTER M-26, 2000, SECTION 7 TO PROVIDE AND ESTABLISH A SYSTEM FOR THE COLLECTION AND REMOVAL AND DISPOSAL OF GARBAGE, REFUSE AND WASTE MATERIAL THROUGHOUT THE MUNICIPALITY OF THE TOWN OF SLAVE LAKE, IN THE PROVINCE OF ALBERTA AND TO REPEAL BY-LAW #04-1996.

WHEREAS provincial legislation including the Municipal Government Act has given the municipal Council of the Town of Slave Lake the authority to establish and maintain a system for the collection, removal and disposal of waste or waste material throughout the municipality;

NOW THEREFORE the municipal Council of the Town of Slave Lake, duly assembled enacts as follows:

1. TITLE AND APPENDIX

- .01 This by-law may be cited as the "Solid Waste Collection and Disposal By-Law".
- .02 Schedule "A" hereby annexed to and declared to be part of this by-law.

2. DEFINITIONS

In this by-law:

"Acceptable Waste" shall mean any waste which can be lawfully disposed of at the disposal site and which is not defined herein as being a "non-acceptable waste".

"Ashes" means residue and cylinders from any substance for fuel and from incineration of waste but does not include any residue as may accumulate as a result of building operations;

"Base rate" means that rate established in Schedule "A" of this Bylaw for a maximum number of units of garbage to be collected from each eligible premises per week.

"Bundle" shall mean tree prunings compressed into a securely tied bundle does not exceed one (1) meter in length and 0.5 meters in width and depth.

"Chief Administrative Officer" means that person hired by the Town of Slave Lake as its Chief Administrative Officer or his representative or such other person as may be designated by Council to carry out the provisions of this by-law.

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"Collection Area" shall mean the location within the corporate limits of the Town from which garbage or waste is collected and consists of a minimum of two dwellings per acre and such dwellings are adjacent to areas where collection of waste is already established.

"Collection Day" means the day or days on which waste is regularly collected from specific premises;

"Compost Material" means yard waste such as grass clippings, fallen leaves, weeds before they seed.

"Commercial Premises" means any site not defined as a residential or multi-family residential site, including any cafe, restaurant, hotel, motel, store, warehouse, wholesale or retail business place, office building, factory, industry, or any other site or building, but not any site that is used or intended to be used only for residential purposes, or not a site that is used as a church;

"Community Constable" means a person appointed by Town Council to enforce the Town's by-laws;

"Council" means the municipal Council of the Town of Slave Lake;

"Disposal Site" means the refuse and waste material disposal area or site designated by the Town;

"Director" means the Town Director of Operations, their representative or such other person as may be designated by Council to carry out the provisions of this by-law;

"Excess Rate" means that rate established in Schedule "A" of this Bylaw for each unit of garbage in excess of the weekly base rate allowance.

"Extra Unit Sticker" means the self adhesive sticker issued, upon payment (see Schedule "A"), by the Town. The Extra Unit Sticker shall be of a size, colour, and numbered in such a way as to be visible for ease of identifying refuse for collection over and above the limit (see Schedule "A").

"Garbage" or "Waste" means all putrescent material including condemned meats, fish, fruit, vegetables and other substance or material being disposed of but not including liquid waste.;

"Garbage Bag" means a manufactured coloured plastic garbage bag not larger than 76.2 cm x 82.5 cm (30 x 32.5 inches) in size and 83 L capacity.

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"Garbage Can" means a receptacle constructed of non-corrosive durable metal or plastic; equipped with a lid and two (2) handles to facilitate handling; having a capacity of not more than one hundred thirty three litres(133), a height of not more than one (1) meter or forty (40) inches and weighing, when filled, not more than thirty kilograms (34) or seventy-five (75) pounds;

"Garbage Collector" means any person whose authorized duties are to collect, remove and dispose of all ashes, garbage, refuse, and waste material;

"Garbage Stand" shall mean any large wooden, plastic or metal container to hold garbage cans for collection day.

"Health Officer" means that person defined as the Health Officer in the Public Health Act.

"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, excluding multi-family residential premises and commercial premises;

"Institutional establishment" means any hospital, clinic, nursing home, penitentiary, health unit or school;

"Lane" means all the public lands between rear or side property lines utilized as a means for public access or thoroughfare;

"Metal Garbage Container" means any receptacle constructed of metal and designed to be dumped by automated means and having a capacity of not less than two (2) cubic yards, used on multi-family residential or commercial premises or both;

"Mobile Home Park Unit" means a single lot occupied by one mobile home in any mobile home park;

"Multi-family Residential Premises" means a building which is either occupied or intended to be occupied by more than two (2) families living independently of one another on the same premises such as in an apartment, townhouse, row housing but does not include building or premises which are part residential and part commercial or industrial;

"Non-acceptable Waste" shall mean waste, which cannot be lawfully or conveniently accommodated at the disposal site such as, but not limited to, hazardous waste, radioactive waste and any other waste, which is deemed by the supervisor of the disposal site to be not acceptable for disposal.

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"Person" means any individual, firm, partnership, association, corporation, company or organization of any kind;

"Proprietor" means the owner, occupant, manager, lessee, tenant, resident manager, or any other person in charge of multi-family residential or commercial premises, including Provincial and Federal government premises;

"Refuse" means any putrescible and nonputrescible solid wastes including broken dishes, tins, glass, rags, cast-off clothing, waste paper, excelsior, cardboard, food containers, grass cuttings, shrubbery and tree pruning, weed and garden waste, but does not include manure, night soil, tree stumps, roots, turf, earth or any waste matter as may accumulate as a result of building operations;

"Standard Residential Premises" means and includes any building or place occupied for use as a dwelling place or a boat or place of living, each unit of a duplex, a semi-detached residential building, a mobile home, a townhouse or row house development if so classified by the Director and churches, but does not include a building or premises which is part residential and part commercial or industrial;

"Town" means those lands contained within or said to be part of the municipal corporation of the Town of Slave lake and the municipal corporation of the Town of Slave Lake;

"Trade Refuse" means and includes every kind of waste material from commercial or industrial establishments including warehouses, factories, stores, cafes, eating houses, and wholesale or retail business places and office blocks where the establishment occupies all or part of a building, which building has mixed uses and also includes material from the work of constructing, repairing, decorating, clearing or grading a building or premises, but does not include waste material from residential premises;

"Unit of garbage" means one unit equals one garbage bag not exceeding 76.2 cm x 82.5 cm (30 x 32.5 inches) in size or 83 litres in capacity and shall not weigh more than 25 kilograms (55 lbs.). Larger or heavier bags would count as 2 units.

"Violation Ticket" means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act R.S.A. 2000 c.P-34 as amended, and regulations there under and as referred to in Part 3 below;

"Waste" means ashes, garbage, refuse or trade refuse as herein defined and includes any other matter or material suitable for disposal by the system herein provided;

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"Wooden Garbage Container" means a structure constructed of wood designed to store garbage receptacles and other contained refuse.

3. DUTIES AND MANAGEMENT

- .01 Except as otherwise provided, the management of this by-law will be by the Town's Operations Department with enforcement being accomplished by the Town's Community Constable.
- .02 The Director is hereby authorized to do all things necessary in order to fulfil his responsibilities and duties under this by-law.
- .03 The Chief Administrative Officer is hereby authorized to do all things necessary in order to fulfil his responsibilities and duties under this by-law.

4. GENERAL PROHIBITION

- .01 No person shall collect, dispose of or remove waste except in accordance with the provisions of this by-law.
- .02 No person other than a householder, proprietor or the Garbage Collector shall open any garbage receptacle or in any way disturb, handle or interfere with the contents thereof or handle, interfere or disturb any waste put out for collection or removal.
- .03 No person other than a householder, proprietor or Garbage Collector shall collect waste from residential or commercial premises, except when the material so collected is for recycling purposes and has been collected with the householder's or proprietor's approval.
- .04 No person shall deposit any dead animal, manure, excrement, waste, refuse, liquid waste or other filth upon or into any street, service lane, utility lot, park, alley, highway, ditch, well, lake, pond, river, or creek, stream or water course or onto any land except with the written consent of the Health Officer.
- .05 No person shall place, or permit to be placed, or mix with any material to be placed as material for removal as waste:
 - a) any highly combustible, volatile, noxious, dangerous or explosive waste, including but without limiting the generality of the foregoing such material as powder, dynamite, motion picture film, hot ashes, burning matter, or toxic materials;

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- b) any waste which is wet unless packaged to allow the dry handling thereof;
 - c) hypodermic needles unless packaged so they can be handled in safety;
 - d) luminescent gas filled tubes unless such tubes are pre-broken or encased in a container of sufficient size and strength to protect such tubes from breakage and allow safe handling.
- .06 No person shall operate within the Town limits, a vehicle transporting waste unless the waste is completely enclosed or securely covered or secured so as to prevent any portion of the waste from falling off or out of the vehicle while in transit.
- .07 No person shall deposit, leave, dispose of or abandon any waste within the corporate limits of the Town except at the disposal grounds or other sites approved by the Director for disposal of certain types of waste, unless otherwise provided for in this by-law.
- .08 No householder or proprietor shall neglect to clean up of the lane in the rear of their premises to the centre line of the lane thereof and shall maintain it in a clean and tidy condition free from all waste.

5. BURNING PROHIBITIONS

- .01 No burning barrels or unapproved incinerators shall be allowed within the Town and no burning of garbage or refuse shall be allowed unless written approval is obtained from the Fire Chief, which approval may only be obtained for litter, leaves, grass clippings or combustible construction waste.
- .02 Commercial premises or institutional establishments may burn refuse, but must do so in an incinerator approved by the Provincial Department of Health, Sanitary Engineering Division.

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6. COLLECTION AND DISPOSAL

- .01 All householders and proprietors shall provide and maintain in good and sanitary conditions at all times sufficient garbage cans to contain the normal waste generated from the premises during the period between waste collections and shall ensure that a cover is kept securely over all such garbage cans except when same are actually being filled or emptied.
- .02 All householders and proprietors shall dispose of waste upon their premises by placing the waste in garbage cans maintained for that purpose or in such other garbage receptacles as is specifically permitted by this by-law or approved in writing by the Health Officer.
- .03 All householders and proprietors shall at all times ensure that waste is kept within the garbage receptacles provided for that purpose and not allowed to spill over or accumulate on any land or street or adjoining public or private property.
- .04 Except on collection day, all garbage containers shall be kept or maintained on the premises of the householder or proprietor, and kept out of site from the front of the premises.
- .05 Any garbage container or abandoned item located on any street or lane in the Town other than on collection day may be removed as waste and disposed of at the discretion of the Director without compensation to the owner thereof.
- .06 A proprietor shall be required to make arrangements and enter into a contract with a Garbage Collector for the regular removal and disposal of waste to adequately keep the premises free from such waste. Metal garbage containers must not be filled above the top so that the lid cannot close.
- .07 Where the quantity of waste cannot in the opinion of the Director, practically be contained within a reasonable number of garbage cans the proprietor shall provide a metal garbage container.
- .08 The Director may, by written notice:
 - (a) Direct any Householder to promptly provide garbage cans in a proper condition when the Director considers their condition is inadequate or insufficient.

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- (b) Direct any proprietor to promptly provide additional garbage cans or metal garbage containers or to provide such garbage cans or metal garbage containers to be provided in a proper condition when the Director considers either that the number of garbage receptacles or their condition is inadequate or insufficient.
- .09 The person and occupants of dwelling units for which collection services are not provided shall be responsible for the disposal of all waste generated by or from such premises.
- .10 The person and occupants of dwelling units for which collection services are provided shall be responsible for the removal and disposal of all non-acceptable waste generated by or from such premises.
- .11 A person shall not put out or permit waste to be put out for collection unless:
- a) clippings from shrubs and trees are compactly and securely tied in bundles using non metal or plastic ties and placed beside the garbage cans to be collected at the base rate;
 - b) grass cuttings, weeds, and garden compost waste shall be deposited in plastic bags and placed in garbage cans to be collected at the base rate;
 - c) ashes shall be kept separate from other waste and shall be cold at the time of placement for collection.
- .12 Notwithstanding any other provisions of this by-law, plastic bags of the type designed for disposal of domestic waste may be used for the disposal of waste only if the plastic bags containing waste are placed for collection in garbage cans prescribed for use in this by-law.
- .13 Where any premises:
- a) is served by a lane at the rear of the premises, the householder must place all waste from such premises in garbage cans for collection at a location within two (2) meters or six and one half (6.5) feet of the rear property line but not in the lane and where garbage cans are placed for collection, direct access to the garbage cans from the lane shall be provided.
 - b) is not served by a lane at the rear of the premises, all waste

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from such premises shall be placed in garbage cans for collection at a location as close as possible to the travelled portion of an adjacent street and not further from the street than the front property line of the premises, but not in any way so as to interfere with pedestrian traffic or vehicles.

- c) The Director shall be the final authority on placement of garbage receptacles in case of a dispute.
- .14 All garbage cans shall be placed for collection by 7:00 o'clock A.M. on the day scheduled for waste collection and must be returned to their storage location within twenty-four (24) hours of being emptied.
- .15 Where any householder or proprietor not served by a lane desires a garbage stand this shall be situated on the premises but not on the front yard unless properly screened to be not visible from the front of the property.
- .16 Except on collection day the householder or proprietor shall keep and maintain all garbage cans:
- a) on the premises served by a lane, of the householder or proprietor;
 - b) on the residential or commercial premises, not served by a lane, of the householder or proprietor in accordance with Section 6.13 of this by-law.
- .17 Where the premises utilize a metal garbage container, the proprietor shall ensure the container is placed on private property and shall ensure that the garbage receptacles at the collection locations are easily accessible and shall not cause damage to Town roads, sidewalks, boulevards or landscaping.
- .18 The Town shall provide a system for the collection of waste upon the following conditions:
- a) the Town may decide on the quantities of waste to be removed from any premises or accepted by the Town for disposal;
 - b) collections shall be made once per week from one pickup point from all standard residential premises;
 - c) collection shall be made from multi-family residential and

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commercial premises as often as is required by the proprietor;

- d) the Garbage Collector shall not be required to collect residential waste on Saturday, Sunday or holidays except at the request of the Director.

.19 The Town shall provide a system for the collection of Refuse in excess of that allowed under the base rate charge as established in Schedule "A" of this Bylaw upon the following conditions:

- a) Refuse in excess of that allowed under the base rate charge as established in Schedule "A" of this Bylaw will be collected providing a Extra Unit Sticker supplied by the Town at a rate specified in Schedule "A" is conspicuously attached;
- b) The Extra Unit Sticker mentioned in (a), above may be offered for sale in locations specified by the Town's Chief Administrative Officer for the convenience of waste system users;
- c) Any unit of garbage above the limit (see Schedule "A") shall not be collected without a visible Extra Unit Sticker;
- d) An Extra Unit Sticker shall be voided in a manner specified by the Town's Chief Administrative Officer after one emptying of the contents of the garbage container.

.20 Notwithstanding clause 6.19, Council may provide for special waste collections in the spring or fall or both or due to special reasons and may provide for the collection of any type of waste during this special collection, including waste not normally collected by the Garbage Collector under the other provisions of this by-law. Residents will be advised of any special waste collection by insertion of an information notice in a local newspaper at least one (1) week prior to the date of such special collection occurring.

.21 The Town may, by written notice, require the removal of any accumulation of the types of waste set forth in paragraph 7.02 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 Town by serving upon the householder, proprietor, or other person responsible for the accumulation, written notice outlining the removal requirements.

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- .22 The Town may at any time and from time to time, enter into a contract or contracts with any person, for the collection, removal and disposal of the whole or any part of the waste accumulated within the Town or may provide for the collection, removal and disposal of waste by the use of equipment and employees of the Town.

7. THE GARBAGE COLLECTOR

- .01 Garbage Collectors shall have the right to enter at all convenient times such portions of all premises within the Town as may be required for the purpose of performing his collection, removal and disposal duties.
- .02 The Garbage Collector shall not be responsible for the collection and removal of any of the following types of waste:
- a) trade refuse resulting from the construction, repair, decorating, clearing or grading of a building or premises;
 - b) scrap metal including car bodies, chassis, machinery or auto parts; and
 - c) waste which cannot be loaded from garbage cans, or metal garbage containers,
- .03 Garbage Collectors shall be as careful as is reasonably possible not to misuse or damage any garbage cans and shall after emptying the contents thereof, replace the garbage cans in approximately the same location where it was picked up. The Garbage Collector shall also gather any waste, which may have been spilled by him on the ground from the garbage cans.
- .04 The Garbage Collector will not be responsible for collecting any waste which is not properly contained, nor any waste which is placed in contravention of any part of this by-law.

8. DISPOSAL GROUNDS

- .01 The Town shall utilize the Regional Landfill Site located near Wagner for disposal of all solid waste except that which is acceptable recyclables.
- .02 The standard charge for disposal shall be as established in the Town

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Utility Rate By-Law or by the Regional Landfill Commission for the disposal site and payable:

- a) in the case of residential, as part of the utility bill;
- b) upon disposal of waste at disposal grounds;
- c) upon receipt of an invoice from the Town.

.03 All waste deposited at the disposal grounds are subject to the charges as established by the Slave Lake Regional Landfill Commission.

9. PENALTIES

.01 a) Where any Peace Officer or By-Law Officer believes that a person has contravened any provision of this By-Law, he may serve upon such person a By-Law Ticket as provided by this section.

- (i) Personally or by leaving it for him at his usual place of abode with an inmate with an inmate thereof who appeared to be at least 18 years of age.
- (ii) If mailed by double registered post to the last known address of the accused person.
- (iii) A notice or form commonly called a by law ticket, having approved printed wording shall state the section of the By-Law that was contravened and the amount which is provided in Section 9.05 or 9.06 of this By-Law will be accepted by the Town in lieu of Prosecution.

b) Upon production of a ticket issued, pursuant to this section, within fourteen (14) consecutive days from the date of issue, together with the payment to the Town of Slave Lake administration office of the fee as provided in this By-Law, the person to whom the tag was issued shall not be liable for prosecution for the contravention in respect of which the tag was issued.

c) Notwithstanding the provisions of this section a person to whom a ticket has been issued pursuant to this section may exercise his right to defend any charge committing a contravention of any provision to this By-Law.

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.02 If the notice or form prescribed in section 9.01(a) hereof is disregarded and the amount specified therein is not paid in accordance with the terms of the said information field, a summons may be issued, and a prosecution conducted for the alleged violation.

.03 A Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000 c.P-34 as amended, to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this By-Law.

.04 If a person has been given an order to remedy any condition contrary to any part of this by-law and neglects or refuses to comply with such an order within the time specified, the same may be done by the Town at the expense of the person in default. All expenses incurred shall be in addition to and not a substitute for any fines or penalties to which the person may be subject pursuant to the provision of the by-law. On default of payment of these expenses, the Town may recover the expenses thereof with the costs, by action in a Court of Competent Jurisdiction or by distress upon and seizure of goods and chattels of the householder or proprietor or make such rates a charge against the property to which the rate was payable or by the same procedure as municipal taxes levied by the Town.

.05 The penalty for infractions of clause 4.07 of this by-law shall be, in addition to all costs incurred, as follows:

First offence	\$250.00
Second offence	\$500.00
Third and subsequent offences	\$1,000.00

.06 The penalties for infractions of all other clauses of this by-law shall be, in addition to all costs incurred, as follows:

First offence	\$25.00
Second offence	\$50.00
Third and subsequent offences	\$100.00

10. CHARGES FOR COLLECTION AND DISPOSAL

.01 The Council of the Town is hereby empowered and authorized to levy charges for collection, removal and disposal of waste on all householders and proprietors who are served by the Town's garbage collection/disposal services, as herein provided under attached Schedule "A".

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11. REPEAL

.01 Upon the effective date of By-law 13-2006, By-Law #04-1996 and any amendments thereto are hereby repealed.

12. EFFECTIVE DATE

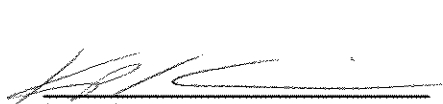
.01 This by-law shall come into force and have effect upon the first day of September 2006

READ A FIRST TIME THIS 16th DAY OF June, 2006


MAYOR

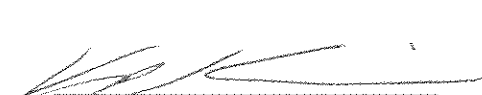

CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS 20th DAY OF June, 2006


MAYOR


CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME THIS 20th DAY OF June, 2006


MAYOR


CHIEF ADMINISTRATIVE OFFICER

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SCHEDULE "A" TO BY-LAW #13-2006

CHARGES FOR COLLECTION OF WASTE

1. a) The Director shall establish the collection time for each location and the determination of collection time shall be within his sole discretion.
 - b) The standard charge per month for collection of waste from each standard residential dwelling unit shall be as established in the Town Utility Rate By-Law.
 - c) The Base Rate for residential collection of waste shall be the standard charge, charged for residential collection on a monthly basis, as established in the Town Utility Rate By-Law, and shall provide for:
 - pickup of clippings from shrubs and trees that are compactly and securely tied in bundles using non metal or plastic ties and placed beside the garbage cans;
- Effective September 1, 2006 to December 31, 2006
- the collection of a maximum of six bags (units) of garbage per week ;
- Effective January 1, 2007 to December 31, 2007
- the collection of a maximum of four bags (units) of garbage per week ;
- Effective January 1, 2008
- the collection of a maximum of two bags (units) of garbage per week ;
- d) The Excess Rate shall be the cost of the Extra Unit Sticker to be affixed for each additional unit of waste to be collected, during the collection process, from any residential dwelling.
 - e) Each Extra Unit Sticker, issued by the Town upon payment, shall be retailed at a cost of 12 Extra Unit Stickers for \$10.00 available for purchase at the Town Office.