

VILLAGE OF BETHUNE
BYLAW NO. 2011-2

**A BYLAW TO PROVIDE FOR THE COLLECTION, REMOVAL AND DISPOSAL
OF DOMESTIC WASTE AND OTHER REFUSE**

The Council of the Village of Bethune, in the Province of Saskatchewan, enacts as follows:

1. In this Bylaw the following definitions shall apply:
 - (a) "Bulk Refuse" means large, bulky items, including wood, trees, shrubs, stumps, branches, carpet, discarded furniture, equipment, large boxes and crates;
 - (b) "Clerk" means the clerk/administrator of the municipality;
 - (c) "Council" means the council of the Village of Bethune;
 - (d) "Commercial Waste" means any waste originating from any business premises or resulting from the operation of any business but shall not include Prohibited Waste;
 - (e) "Designated Areas" means separate sites within the waste management site set aside for particular disposal i.e. domestic waste and rubbish, wood, metal, shingles and clean dirt;
 - (f) "Domestic Waste" means putrid animal, mineral and vegetable waste resulting from the handling, preparation, cooking and consumption of food;
 - (g) "Hazardous Waste" means any waste materials designated by either the Environmental protection Act and/or the Dangerous Goods Act of Saskatchewan and/or Canada;
 - (h) "Heavy Commercial" means any premises principally used for a business engaged in the following:
 - sale or warehousing or groceries or perishable goods
 - operation of a restaurant
 - operation of a hotel or motel with licensed premises and/or restaurant
 - operation of a farm machinery and equipment dealership
 - operation of a gas bar and convenient store
 - operation of a drug store
 - (i) "Household Waste" means any waste originating from any residential premises after recyclable items have been removed, but does not include Restricted or Prohibited Waste;
 - (j) "Liquid Domestic Waste" means any waste which contains animal, mineral or vegetable matter in solution or suspension;
 - (k) "Public Highway" means a road allowance or a road, street, or lane, vested in Her Majesty or set aside for such purpose and includes the entry road to the waste management site, a bridge, culvert, drain or other public improvement erected upon or in the connection with such public highway;

- (l) "Recyclable Refuse" means refuse for which a recycling collection point or recycling facility is established in the Village;
- (m) "Refuse" means all wastes including domestic waste rubbish, street cleanings, yard clippings, any useless, unused, unwanted or discarded material resulting from ordinary community activities, but not liquid domestic waste;
- (n) "Resident" for purposes of this bylaw means refuse generated in the Village or a municipality that has been approved at the discretion of Council;
- (o) "Scavenger" is a person authorized by Village Council to collect domestic waste for removal to the appropriate waste management site;
- (p) "Village" means the municipal corporation of the Village of Bethune or, where the context requires, the geographical area within the Village limits of the Village of Bethune;
- (q) "Whites" means large metallic objects such as major appliances, water heaters, stoves, furnaces, washers, dryers, refrigerators, deep freezers, dishwashers, bed springs, fencing, gates, sinks, etc.;
- (r) "Waste Management Site" means the municipal waste management site located on that portion of SW 25-20-24 w2. Waste Management Site may also refer to locations established by the Village as recycling collection points or recycling facilities.

2. Household wastes in the Village of Bethune shall be removed to the Village Waste Management Site by:
 - (a) an employee of the Council; or
 - (b) any person who has contracted with Council for that purpose; or
 - (c) approved Municipal Haulers with up-to-date agreements with Village Council
 - (d) any patron who pays the required load charge.

3. (a) Subject to subsection (b), every owner or occupant, as the case may be, of residential property shall, after removing all recyclable items:
 - i) place all Household Waste originating from that property in plastic garbage bags sturdy enough to hold such contents and, without limiting the generality of the foregoing, in plastic garbage bags with a wall thickness of not less than two (2) mils;
 - ii) provide and maintain, in good repair, a sufficient supply of waste receptacles to hold the Household Waste originating from that property; the waste receptacles shall be made of water-tight galvanized steel or PVC material; Old oil drums and the like containers shall not be permitted or used as a waste receptacle.
 - iii) store all waste originating from that property so as to prevent:
 - i) access to such waste by stray animals or birds;
 - ii) spread of such waste by wind;
 - iii) infiltration of such waste by rain.

- b) No owner or occupant of residential property shall allow any individual garbage bag or bundle of waste or waste receptacle to be filled to such an extent that the combined weight of that waste receptacle, garbage bag or bundle, together with its contents exceeds 20.7 kilograms (45 pounds).

- (c) If the owner or occupant, after receiving two notices from a Village Official to provide proper waste and refuse receptacles, neglects to do so, Council may order the Village staff, scavenger, or person who has been contracted with the Council, to cease gathering refuse until this bylaw is complied with.
- (e) There shall be a limit of four bags, or two containers of garbage per household. Property owners or occupants may be permitted to set out additional garbage with prior consent from the Public Works Foreman or designate.

- 4. (a) Removal of brush, bulk refuse, garden/lawn clippings, whites and all other non-household waste shall be the responsibility of the landowner or occupant and if taken to the waste management site for disposal, shall be deposited at designated area for such garbage.
- (b) Waste and garbage referred to in 4(a) shall not be permitted to accumulate for any longer than two weeks at a time.

- 5. Collection Frequency
Collection services will be provided subject to modifications for holidays as follows:

<u>Category</u>	<u>Frequency</u>
Household Waste	once/week as per Appendix "A"

- 6. Old tires, petroleum wastes, propane bottles and batteries may not be deposited at the waste management site.
- 7. All domestic waste, refuse, trees, bulk refuse and metal (including Whites) shall be deposited in the designated areas of the waste management site, as instructed by Council, Village employee, waste management contractor or landfill supervisor.
- 8. Manure, grain, slaughter house wastes, dead animals and other comparable wastes shall not be deposited at the waste management
- 9. Hazardous Waste shall not be deposited at the waste management site unless approval has been received from Council.
- 10. Liquid domestic wastes shall not be deposited in the waste management site
- 11. No person shall place, dump or dispose of any domestic waste, refuse, whites, bulk refuse or waste of any kind or description in, near or over the gate or fence at the waste management site or on any public highway. No person shall deposit refuse on a premise not owned or occupied by that person unless authorized in writing to do so by the owner or occupier of that premise
- 12. No person shall remove, disturb, or take away any material, object or thing from the waste management site without written permission from a Village employee or waste management contractor. The Village shall own and have sole right to dispose of all refuse collected and delivered to the waste management site.
- 13. The Waste Disposal Grounds, when open to the public shall be supervised at all times by an individual contracted by the Village or an employee of the Village.

14. Absolutely no burning is allowed at the waste management site unless authorized to do so by the Village Public Works Foreman or his/her representative and a permit is received from Saskatchewan Ministry of Environment and Resource Management. No person shall burn refuse within the Village unless authorized to do so in writing by the Fire Chief and 9-1-1 dispatch has been notified.
15. No person shall deface, destroy, or alter any signs, gates or fencing at the waste management site.
16. No unauthorized person shall discharge any firearms, air-guns, B.B. guns or explosives within the waste management site.
17. Hours of operation of the waste management site are as prescribed in Appendix "A" attached. The hours shall be fixed from time to time by resolution of Council, and the hours of operation shall be posted at the waste disposal grounds.
18. Council may, from time to time, by resolution, designate and approve Municipal Haulers and Commercial Haulers.
19. Load charges to be collected by a representative of the Village are as set out in Appendix "A" attached and posted at the waste disposal grounds. Written invoices will be available upon request. The charges may be changed from time to time by resolution of Council and posted at the waste management site.
20. Keys will not be given out to private or commercial haulers. If there is a need for commercial haulers to enter the waste management site outside of regular hours it should be arranged through the Landfill Supervisor or Village Public Works Foreman. The Village may charge a fee in excess of the "Load Charge" outlined in Appendix "A" when Village employees provide access to the waste management site outside of regular hours. The Landfill Supervisor is allowed to charge a fee to provide access to the waste management site outside of regular hours.
21. Village Council may at their discretion, advertise or proclaim special spring or fall clean up programs clearly outlining the nature and types of refuse that will be collected.
22. If any person fails, neglects or refuses to do anything which he/she is required to do by this bylaw, such thing may be done by the Council at the expense of the person in default and the Village may recover the expense thereof, with costs, in any court of competent jurisdiction or in like manner as municipal taxes.
23.
 - (a) A person who infringes any of the provisions of this bylaw or fails to comply therewith, and where no other penalty is provided herein, shall be liable on summary conviction to a penalty of not more than \$2000.00 in the case of an individual or \$5,000.00 in the case of a corporation.
 - (b) The imposition of such penalty for failure to comply with any of the provisions of this bylaw shall not relieve the person in default from carrying out the work therein mentioned, but she/he shall be liable on summary conviction to a further penalty of not more than \$10.00 for each day after the first penalty is imposed until she/he has complied with the provisions of this bylaw.

24. (a) Any person who contravenes any of the provision of sections 3, 4(b), 12, 16 of this Bylaw shall be guilty of an offence and shall be liable to a penalty of:
\$50.00

Any person who contravenes any of the provisions of sections 6, 7, 8, 9, 10, 11, 14, and 15, of this Bylaw shall be guilty of an offence and shall be liable to a penalty of:

- \$250.00 for the First Offence
- \$500.00 for the second and any subsequent Offence

(b) A violator of this Bylaw upon being served with a Notice of Violation may during regular office hours voluntarily pay the penalty at the Village Office and upon payment that person shall not be liable to prosecution of the offence.

(c) The notice of violation shall be in Form "1" attached and forming a part of this Bylaw.

25. This Bylaw shall come into effect upon final passing.

(SEAL)

MAYOR

ADMINISTRATOR

Certified a true copy of the Bylaw passed by the unanimous consent of the Council present at the regular meeting held on the 9th day of August, 2011.

Rodney E. Audette, RMA
Administrator

APPENDIX "A"

BYLAW NO. 2011-2

HOURS OF SUPERVISED OPERATION:

Open:

April 1 to October 31

First and third Wednesday of the month

Saturdays from 1:00 pm to 5:00 pm (Weather permitting)

November 1 to March 31 Closed

SCHEDULE OF LOAD CHARGES:

Resident

Small load (car, two bags, etc)

\$ 5.00

Vehicles up to 3/4 Ton
including small utility trailers

\$ 15.00 / per load

Vehicles 3/4 & 1 Ton

\$ 50.00 / per load

Vehicles 3 Ton & Up

\$ 150.00 / per load

Whites (Appliances etc.)
(See Definition 1(q))

\$5.00/appliance or object

FORM "1"

BYLAW NO. 2011-2

Notice of Violation

NOTICE OF VIOLATION

Ticket No. _____

Issued by: _____ Date: _____

Name of Accused: _____

Address of Accused: _____

Make of Vehicle: _____ Plate No: _____

Model of Vehicle: _____ Province: _____

Location of Violation _____

Description of Violation _____

Voluntary Payment Amount _____

Deadline for Voluntary Payment _____

You are charged with a violation of the Village of Bethune's Collection, Removal and Disposal of Domestic Waste and Other Refuse Bylaw.

A voluntary payment may be paid at the Village Office.

If payment is received on or before the deadline for voluntary payment (noted above), you will not be prosecuted for this violation.

Avoid prosecution by paying promptly. Unless payment is received by the Village of Bethune in accordance with the instructions contained herein, a Criminal Code (Canada) Summons will be issued commanding you to appear in Court with respect to this matter.