

## **BYLAW 39-2014**

### **A BYLAW OF STRATHCONA COUNTY TO ESTABLISH TERMS AND CONDITIONS FOR THE PROVISION OF WASTE COLLECTION AND RECYCLING SERVICES IN STRATHCONA COUNTY.**

WHEREAS the *Municipal Government Act*, RSA 2000, c. M-26, provides that a Council may pass bylaws respecting public utilities; and

WHEREAS it is deemed advisable and expedient to set out the terms and conditions applicable to the collection and disposal of solid waste and the provision of recycling services within Strathcona County;

NOW THEREFORE THE COUNCIL OF STRATHCONA COUNTY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

#### **PART 1**

##### **TITLE**

- 1** This Bylaw may be referred to as the "Waste Management Bylaw".

#### **PART 2**

##### **DEFINITIONS**

- 2** In this Bylaw,
  - (1)** "administrator" means the Chief Commissioner of Strathcona County, or a person appointed by the Chief Commissioner as his or her designate;
  - (2)** "apartment building" means a collective group of six or more units in an apartment or condominium-style building which includes units of more than one storey and is managed by a property management group or person, a condominium association, or a similar board or group;
  - (3)** "ashes" means the powdery residue left after the combustion of any substance and includes partially burnt wood, charcoal, or coal;
  - (4)** "automated bin service" means the collection of collectable materials by a private contractor in contract with an owner or householder, but does not include collection services provided by the County's collection contractor;
  - (5)** "blue bag" means a blue, transparent plastic bag utilized for the collection of commingled recyclables;
  - (6)** "Christmas tree" means a real evergreen tree that:
    - (a)** was used as part of Christmas celebrations, and

- (b)** has had all decorations and lights removed;
- (7)** "clear bag" means a clear, transparent plastic bag utilized for the collection of yard waste;
- (8)** "clerk of the provincial court" means an officer of a provincial court who accepts filings, issues processes, and keeps records;
- (9)** "collectable materials" means materials placed for collection service and includes:
  - (a)** waste materials,
  - (b)** organic materials,
  - (c)** commingled recyclables,
  - (d)** large items,
  - (e)** yard waste,
  - (f)** Christmas trees, and
  - (g)** any other material that may be designated as such by the administrator;
- (10)** "collection cart" means a wheeled receptacle, designed to be emptied mechanically into an automated collection vehicle, that has been allocated to an eligible premises by the administrator;
- (11)** "collection container" means a:
  - (a)** collection cart,
  - (b)** blue bag or reusable receptacle supplied by the householder for collection or commingled recyclables, or
  - (c)** clear bag supplied by the householder for the collection of yard waste;
- (12)** "collection contractor" means a person, or the agent to any person, that is, under contract to the County, providing collection service to an eligible premises;
- (13)** "collection service" means the collection of collectable materials;
- (14)** "commercial facilities" includes retail stores, warehouses, restaurants, and other commercial and industrial facilities;
- (15)** "commingled recyclables" includes:

- (a) container recyclables,
  - (b) fibre recyclables, and
  - (c) any other material that may be designated as such by the administrator;
  
- (16) "compostable bag" means a bag made of organic materials that is certified as compostable under the Composting Council of Canada's *Compostable Products – Certification Program* (CAN/BNQ 0017-988) or ISO 17088;
  
- (17) "compulsory service" means collection service that a householder is required to receive from the County's collection contractor under Part 6;
  
- (18) "construction and demolition waste" means waste material generated as a result of construction, demolition, or renovation activities at commercial facilities including, but not limited to:
  - (a) polystyrene,
  - (b) fibreglass insulation,
  - (c) pieces of wood,
  - (d) siding,
  - (e) shingles,
  - (f) drywall,
  - (g) hazardous wastes, and
  - (h) any other materials that may be designated as such by the administrator;
  
- (19) "container recyclables" means:
  - (a) glass bottles and jars,
  - (b) aluminum containers,
  - (c) steel and tin cans,
  - (d) margarine and yogurt containers,
  - (e) grocery and retail bags,
  - (f) plastic bottles with twist-off tops,

- (g)** plastic trays,
  - (h)** polystyrene,
  - (i)** beverage containers,
  - (j)** tetra packs and mini-sip containers, and
  - (k)** any other material that may be designated as such by the administrator;
- (20)** "Council" means the Municipal Council of Strathcona County;
- (21)** "County" means Strathcona County;
- (22)** "custom waste diversion plan" means a plan completed by the property management group or condominium association in charge of a residential complex or apartment building that outlines how waste will be managed and separated in order to facilitate collection of waste materials, commingled recyclables, and organic materials;
- (23)** "detached residential building" means:
- (a)** a free-standing residential building occupied by a single unit, or
  - (b)** a free-standing residential building, such as a duplex or row housing, that consists of two or more units built side-by-side sharing a wall,
- but does not include any unit or building that is part of a residential complex or apartment building;
- (24)** "dwelling" includes a:
- (a)** detached residential building,
  - (b)** residential complex, and
  - (c)** apartment building;
- (25)** "eligible premises" means a dwelling, building, or facility under Part 5;
- (26)** "enviroservice depot" means any permanent or temporary area within the County that has been designated by the administrator to receive enviroservice materials;
- (27)** "enviroservice materials" includes:
- (a)** household hazardous waste,

- (b)** paint,
  - (c)** oil and glycol,
  - (d)** propane tanks,
  - (e)** batteries,
  - (f)** fluorescent light tubes,
  - (g)** electronics,
  - (h)** metals, or
  - (i)** any other material that may be designated as such by the administrator;
- (28)** "extra yard waste event" means a supplementary collection period scheduled by the administrator for extra collection service of yard waste;
- (29)** "Fees and Charges Bylaw" means the Strathcona County's Fees and Charges Bylaw 66-2013, as amended or replaced;
- (30)** "fibre recyclables" includes:
- (a)** mixed paper,
  - (b)** corrugated cardboard,
  - (c)** newsprint,
  - (d)** box board,
  - (e)** magazines,
  - (f)** catalogues,
  - (g)** flyers,
  - (h)** telephone books,
  - (i)** soft cover books,
  - (j)** paper egg cartons,
  - (k)** polycoat milk containers, and
  - (l)** any other materials that may be designated as such by the administrator;

- (31)** "hamlet" means the area within the boundaries of a hamlet as declared by Ministerial Order or by Bylaw or Resolution of Council, but does not include the urban service area;
- (32)** "householder" means any owner, occupant, lessee or tenant, or any other person in charge of any dwelling of unit within a dwelling;
- (33)** "industrial/commercial/institutional (ICI) waste" means waste generated as a result of ICI activities at commercial facilities or institutional facilities within the County;
- (34)** "institutional facilities" includes:
- (a)** municipal buildings and facilities,
  - (b)** hospitals,
  - (c)** schools,
  - (d)** libraries, and
  - (e)** any other facility that may be designated as such by the administrator;
- (35)** "large item" means a household items that is too large to fit in a collection container, and includes:
- (a)** appliances,
  - (b)** furniture,
  - (c)** mattresses,
  - (d)** box springs, and
  - (e)** hot water tanks,
- but does not include non-collectable material;
- (36)** "large item event" means a supplementary collection period scheduled by the administrator for extra collection service of large items;
- (37)** "non-collectable materials" means all waste other than collectable materials and includes, but is not limited to:
- (a)** transient waste,
  - (b)** highly combustible or explosive materials including, but not limited to,
    - a)** celluloid cuttings,

- b)** motion picture film,
  - c)** oil or gasoline soaked rags,
  - d)** gas containers,
  - e)** chemicals,
  - f)** acids or other combustible residues,
  - g)** fine dry sawdust,
  - h)** ammunition,
  - i)** dynamite,
  - j)** lead-acid automotive batteries,
  - k)** propane tanks, and
  - l)** any other material that may be designated as such by the administrator,
- (c)** any compounds that may be considered dangerous or hazardous under the provisions or provincial or federal legislation;
- (d)** material that is considered pathogenic or biomedical including, but not limited to:
- a)** dressings,
  - b)** bandages,
  - c)** hypodermic needles,
  - d)** infected materials discarded in the course of practice or physicians, surgeons, dentists, or veterinarians,
- (e)** carcasses or parts of any animal, except food waste,
- (f)** sheet iron,
- (g)** large pieces of scrap metal,
- (h)** machine parts,
- (i)** automobile parts and bodies,
- (j)** automobile fuel tanks,

- (k)** septic tank pumpings, raw sewage, or industrial sludge,
  - (l)** radioactive materials,
  - (m)** soil, sod, rocks, tree trunks, or stumps,
  - (n)** ICI waste,
  - (o)** construction and demolition waste,
  - (p)** any material that has been designated as non-collectable material by the administrator, and
  - (q)** any waste material that has not been placed for collection in accordance with Parts 9, 11, and 12;
- (38)** "organics kitchen catcher" means a small container supplied by the administrator for the collection of organic materials prior to deposit in the organics collection cart;
- (39)** "organic materials" means organic materials that are compostable and includes, but is not limited to:
- (a)** yard waste,
  - (b)** kitchen food waste,
  - (c)** ashes,
  - (d)** fruits, vegetables, and peelings,
  - (e)** table scraps,
  - (f)** meat, poultry, fish, and shellfish,
  - (g)** dairy products,
  - (h)** cooking oil, grease, and fat,
  - (i)** bread,
  - (j)** grains,
  - (k)** rice,
  - (l)** pasta,
  - (m)** bones,
  - (n)** eggshells,



- (o) coffee grounds and filters,
  - (p) tea leaves and bags,
  - (q) soiled cardboard, paper, and pizza boxes,
  - (r) paper plates and napkins, and
  - (s) any other materials designated as such by the administrator;
- (40) "owner" means the person who is registered under the *Land Titles Act*, RSA 2000, c. L-4, as the owner of a fee simple estate in land, or a person who is recorded as the owner of a property on the tax assessment roll of the County;
- (41) "person" means a person as defined by Common Law, and includes any individual, householder, firm, partnership, association, corporation, company, or organization of any kind;
- (42) "recycle station" means an area within the County that has been designated by the administrator to receive collectable materials, or any other materials designated by the administrator;
- (43) "residential complex" means a collective group of six or more units that is managed by a property management group or person, a condominium association, or a similar board or group, but excludes apartment buildings;
- (44) "residential home renovation waste" means waste generated as a result of residential home construction, demolition, or renovations activities including, but not limited to:
- (a) drywall,
  - (b) scrap wood,
  - (c) rolled carpet,
  - (d) rigid polystyrene foam,
  - (e) siding,
  - (f) pvc pipe,
  - (g) shingles,
  - (h) fibreglass insulation, and

- (i) any other materials that may be designated as such by the administrator;
- (45) "reusable receptacle" means an impermeable bag or container intended for repeated use and has adequate handles for easy lifting, but excludes cardboard cartons, oil drums, plant pots, paint cans, and other similar containers;
- (46) "road" and "roadway" means a roadway within the meaning of the *Traffic Safety Act*, RSA 2000, c. T-6;
- (47) "rural area" means the area of the County not included within the boundary of a hamlet or of the urban service area;
- (48) "subscription service" means an account opened by a householder for collection service from the County where compulsory service is not required or available under Part 6;
- (49) "supplementary collection service" mean collection service provided beyond the regular collection service provided by the County;
- (50) "transient waste" means waste material produced outside the County or produced at a location other than the dwelling in front of which it is placed for collection service;
- (51) "unit" means a self-contained portion of a dwelling occupied as a separate residence;
- (52) "urban service area" means the urban area within the County and incorporates the boundaries of the Hamlet of Sherwood Park as declared by Ministerial Order No. 761/95, or as expanded by Ministerial Order or by Bylaw or Resolution of Council;
- (53) "utility bill" means a monthly, bi-monthly, quarterly, or annual statement of fees levied by, and owed to, the County for provision of utility services;
- (54) "violation ticket" means a ticket issued pursuant to Part II of the *Provincial Offences Procedures Act*, RSA 2000, c. P-34;

- (55)** “waste diversion compliance plan” means a plan completed by a private collection services provider that outlines how collection of waste materials, commingled recyclables, and, if approved, organic materials from a dwelling and must outline how the materials will be collected and kept separate and, where possible, diverted from the landfill;
- (56)** “waste materials” means all collectable materials discarded from a dwelling, but does not include organic materials, fibre recyclables, container recyclables, yard waste, large items, Christmas trees, or non-collectable waste, and includes, but is not limited to;
- (a)** crockery and glassware,
  - (b)** floor sweepings,
  - (c)** discarded clothing and furnishings,
  - (d)** non-recyclable plastic, metal, and packaging,
  - (e)** non-repairable household goods,
  - (f)** household waste,
  - (g)** glass or sharp objects,
  - (h)** any item that is made up of two materials that cannot be separated for recycling,
  - (i)** residential home renovation waste, and
  - (j)** any other materials that may be designated as such by the administrator;
- (57)** “yard waste” means materials generated in growing and tending to yards and plants and includes, but is not limited to,
- (a)** grass clippings,
  - (b)** twigs,
  - (c)** house and garden plants,
  - (d)** sawdust and wood shavings, and
  - (e)** any other material designated as such by the administrator.

### **PART 3**

#### **THE ADMINISTRATOR**

- 3** The administrator shall administer and enforce the provisions of the Bylaw and, for this purpose, may:
- (1)** delegate any of the administrator's powers, duties, or functions under this Bylaw to an employee of the County;
  - (2)** divide the County into collection zones;
  - (3)** alter the boundaries of the collections zones divided under section 3(2);
  - (4)** designate a particular time and day of the week for collection of collectable material in each collection area;
  - (5)** determine the frequency of collection of collectable materials;
  - (6)** designate the hours of operation, conditions of operations, and guidelines for accepting collectable materials at recycle stations;
  - (7)** organize the collection of enviroservice materials, including:
    - (a)** setting the location for an enviroservice depot,
    - (b)** setting the date and hours of operation of an enviroservice depot,
    - (c)** designating which enviroservice materials shall be accepted, and
    - (d)** arranging a mobile enviroservice depot;
  - (8)** manage and oversee the contract of any collection contractor;
  - (9)** assign collection carts to eligible premises; and
  - (10)** take any recourse under Part 16 to secure payment of any utility bill.
- 4** All collectable materials collected by the collection contractor or deposited at a recycle station or enviroservice depot become the property of the County.

## **PART 4**

### **THE HOUSEHOLDER**

- 5** Every householder that receives compulsory service or subscription service shall:
- (1)** utilize the organic materials collection cart and waste materials collection cart for the storing and collection of organic materials and waste materials, respectively, prior to placing the collection cart for collection service;
  - (2)** provide sufficient and adequate collection containers to contain commingled recyclables and extra yard waste generated at the householder's dwelling;
  - (3)** maintain collection containers in good repair and sanitary condition;
  - (4)** ensure that each collection container is covered, or its lid is completely closed, except when being emptied or filled;
  - (5)** ensure collection containers remain adjacent to a permanent structure on the eligible premises, except when placed for collection;
  - (6)** store collectable materials only in collection containers made inaccessible to pests or animals;
  - (7)** ensure proper preparation of collectable materials under Part 9;
  - (8)** ensure collection containers are placed for collection as per Parts 11 and 12; and
  - (9)** deposit enviroservice materials at an enviroservice depot or a similar location that accepts enviroservice materials.

## **PART 5**

### **ELIGIBLE PREMISES**

- 6** Eligible premises means occupied dwellings, buildings, facilities, and premises when they have been granted occupancy by the County and are required or approved to receive collection services from the collection contractor, and includes:
- (1)** detached residential buildings;
  - (2)** residential complexes that have not opted out of the County's collection service under Part 6;

- (3) apartment buildings that have been approved by the administrator, under section 9, to receive the County's collection service, and
- (4) institutional facilities that have been approved by the administrator, under section 9, to receive the County's collection service.

## **PART 6**

### **ELIGIBILITY CRITERIA**

**7** Each householder whose dwelling is:

- (1) a detached residential building, except a detached residential building on a property equal to or greater than 0.81 hectares in area in the rural area; or
- (2) a residential complex;

shall receive the County's collection service automatically, without need to personally sign up for an account or receive approval from the administrator.

**8** A householder whose dwelling is:

- (1) a residential complex;
- (2) a detached residential building, within the urban service area or a hamlet, on a property equal to or greater than 0.81 hectares in area; or
- (3) a detached residential building on a property less than 0.81 hectares in area within a hamlet, that is occupied for an accumulated period of less than six months in a calendar year;

may apply to opt out of the County's collection service.

**9** A householder whose dwelling is:

- (1) an apartment building;
- (2) an institutional facility; or
- (3) a detached residential building in the rural area on a property equal to or greater than 0.81 hectares in area;

may apply to the administrator to be added to the County's collection service.

**10** Notwithstanding sections 7-9, householders on private streets or roads, or whose property is adjacent to a provincial highway, are eligible for the County's collection service only if:

- (1)** the private street, road, or driveway is safely passable by a collection vehicle; or
- (2)** the collectable materials are brought to the nearest intersection with a public street for collection;

and, in addition to subsection (1) or (2);

- (3)** an application for collection services is approved by the administrator.

- 11** An application by a householder under section 10 must include an executed *Private Property – Right of Entry* agreement with the County.
- 12** The administrator may require that a householder under section 10 bring collection containers to the nearest intersection with a public street or road.
- 13** A householder under section 8 that wishes to opt out of the County’s collection service must provide to the administrator:
  - (1)** a certified-true copy of a provisional contract with a private collection services provider outlining services to be provided by the private collection services provider;and
  - (2)** for householders applying under section 8(2), a statutory declaration that the householder’s property is equal to or greater than 0.81 hectares in area; or
  - (3)** for householders applying under section 8(3), a statutory declaration that the householder’s dwelling is occupied for cooking, eating, sleeping, or living purposes for less than six months in a calendar year.
- 14** The discretion to approve or deny an application under section 8 or 9 rests solely with the administrator.
- 15** A householder that has opted out of the County’s collection service under section 8 is not eligible to receive the County’s collection service for one year from the date of approval of the application by the administrator.
- 16** The effective date for opting out of the County’s collection service under section 8 is the date of approval of the application by the administrator.
- 17** A householder of an eligible premises that requires collection services beyond the regular level of service established by the administrator may apply to the administrator for supplementary collection services.
- 18** An application under section 17 must be made in writing.

- 19** The discretion to approve or deny an application under section 17 rests solely with the administrator.
- 20** A householder whose application under section 17 is denied may contract with a private collection service provider for supplementary collection services only.

## **PART 7**

### **COLLECTION SERVICES**

- 21** No person other than the administrator or the collection contractor shall provide collection service or supplementary collection service within the urban service area, except as outlined in Part 6.
- 22** Subject to section 23, no person other than the administrator or the collection contractor shall provide collection service or supplementary collection service outside the urban service area, except any person who, at the date of passage of this Bylaw, is providing collection service or supplementary collection service outside the urban service area may continue to do so.
- 23** If a person, who, at the date of passage of this Bylaw, was providing collection services or supplementary collection services outside of the urban service area subsequently discontinues providing such services, that person may not recommence providing such services at a later date.
- 24** Every person that provides private collection service to a detached residential building must
  - (1)** provide collection services for waste materials, organic materials, commingled recyclables, and any other material that can be diverted from the landfill; and
  - (2)** provide to the householder whatever containers or receptacles are suitable to the private collection service operation.
- 25** Every person who provides private collection service to an approved residential complex that has received a development permit before June 30, 2015 must by September 30, 2015:
  - (1)** provide collection services for waste materials, organic materials and commingled recyclables;
  - (2)** Notwithstanding the previous clause properties that as at passage of this bylaw that rely on automated bin service will be required to provide at minimum waste collection and one of paper or cardboard recycling;



- (3) submit to the administrator for approval a waste diversion compliance plan for each dwelling serviced;
  - (4) provide updates to any waste diversion compliance plan:
    - (a) annually, and
    - (b) any time the waste diversion compliance plan changes, except changes to the frequency of collection services or the size of bins.
- 26** Every person who provides private collection service to an approved apartment building that has received a development permit before June 30, 2015 must by September 30, 2015:
- (1) provide collection services for
    - (a) waste materials, and
    - (b) paper or cardboard.
  - (2) submit to the administrator for approval a waste diversion compliance plan for each dwelling serviced;
  - (3) provide updates to any waste diversion compliance plan:
    - (a) annually, and
    - (b) any time the waste diversion compliance plan changes, except changes to the frequency of collection services or the size of bins.
- 27** Every person who provides private collection service to an approved residential complex or apartment building that has received a development permit after June 30, 2015 must:
- (1) provide equal access to collection services for waste materials, organic materials and commingled recyclables;
  - (2) submit to the administrator for approval a waste diversion compliance plan for each dwelling serviced; and
  - (3) provide updates to any waste diversion compliance plan
    - (a) annually, and
    - (b) anytime the waste diversion compliance plan changes, except changes to the frequency of collection services or the size of bins.

- 28** Every person who wishes to provide collection services of organic materials must receive approval from the administrator prior to provision of the service.
- 29** The administrator may, at any time, visually inspect, and confirm the destination of, waste materials, commingled recyclables, and organic materials collected by a private collection service provider.

## **PART 8**

### **RESIDENTIAL COMPLEX AND APARTMENT BUILDING WASTE DIVERSION**

- 30** Each residential complex that has received a development permit before June 30, 2015 must implement, by September 30, 2015, on-site collection services for:
  - (1)** waste materials, organic materials and commingled recyclables;
  - (2)** Notwithstanding the previous clause properties that as at passage of this bylaw that rely on automated bin service will be required to provide at minimum waste collection and one of paper or cardboard recycling;
- 31** Each apartment building that has received a development permit before June 30, 2015 must implement, by September 30, 2015, on-site collection services for:
  - (1)** waste materials, and
  - (2)** paper or cardboard.
- 32** Any residential complex or apartment building that receives a development permit on or after June 30, 2015 must provide equal access to on-site collection services for waste materials, commingled recyclables and organic materials.
- 33** Each residential complex or apartment building must obtain collection service from:
  - (1)** the County, through its collection service or subscription service; or
  - (2)** a private collection service provider, in accordance with Part 7.
- 34** Each residential complex and apartment building must submit to the administrator for approval a custom waste diversion plan.
- 35** The administrator may, at any time, request an update or audit of a custom waste diversion plan.

## **PART 9**

### **PREPARATION OF COLLECTABLE MATERIALS**

- 36** Where a household receives the County's collection service waste materials shall be prepared for collection in accordance with the following limits and conditions:
- (1)** Waste materials must be deposited in the waste materials collection cart;
  - (2)** The volume of waste materials in the collection cart must not exceed the volume of the collection cart;
  - (3)** The lid of the collection cart must be completely closed when placed for collection;
  - (4)** The weight of the collection cart must not exceed 90 kilograms;
  - (5)** Waste materials must be placed in the collection cart so as to prevent their escape into the environment during the collection process;
  - (6)** Pet feces or cat litter packaged in plastic bags must be placed in the waste materials collection cart;
  - (7)** No organic materials, commingled recyclables, enviroservice materials, extra yard waste, or non-collectable materials shall be placed in the waste materials collection cart;
  - (8)** Glass or sharp objects must be tightly wrapped in cardboard or another suitable material and clearly marked to prevent injury to collection personnel.
- 37** Where a household receives the County's collection service organic materials shall be prepared for collection in accordance with the following limits and conditions:
- (1)** Organic materials must be deposited in the organic materials collection cart;
  - (2)** The volume of organic materials in the collection cart must not exceed the volume of the collection cart;
  - (3)** The lid of the collection cart must be completely closed when placed for collection;
  - (4)** The weight of the collection cart must not exceed 90 kilograms;

- (5)** Organic materials must be placed in the collection cart so as to prevent their escape into the environment during the collection process;
  - (6)** Yard waste shall be placed in the organics cart, unless it is placed for an extra yard waste event;
  - (7)** Ashes, shredded paper, and sawdust shall be packaged cold in compostable bags or in a fibre box and placed in the organic materials collection cart;
  - (8)** Fibre recyclables that are soiled or used to package organic materials may be placed in the organic materials collection cart;
  - (9)** Excess yard waste that does not fit into the organics material collection cart may be taken to a recycle station or placed out for collection during an extra yard waste event;
  - (10)** No waste materials, commingled recyclables, enviroservice materials, or non-collectable materials shall be placed in the organic materials collection cart.
- 38** Where a household receives the County's collection service commingled recyclables shall be prepared for collection in accordance with the following limits and conditions:
- (1)** There shall be no limit to the amount of commingled recyclables that may be placed for collection at each eligible premises on each collection day;
  - (2)** Commingled recyclables must be clean and unsoiled prior to placement for collection;
  - (3)** Commingled recyclables must be placed in a blue bag or reusable receptacle and secured to prevent their escape into the environment;
  - (4)** Notwithstanding subsection 3, shredded paper must be packaged in a blue bag prior to being placed for collection;
  - (5)** Corrugated cardboard that does not fit in a collection container must be secured in a bundle weighing not more than 25 kilograms and not be greater than 0.35m x 0.20m x 1.0m in size;
  - (6)** The maximum weight of each collection bag or container containing commingled recyclables shall not exceed 25 kilograms. The height shall not be less than 46 centimeters nor greater than 76 centimeters;
  - (7)** No waste materials, organic materials, enviroservice materials, or non-collectable materials shall be placed in the commingled recyclables bag or container.

- 39** Where a household receives the County's collection service extra yard waste shall be prepared for collection in accordance with the following limits and conditions:
- (1)** There shall be no limit to the amount of extra yard waste that may be placed for collection during an extra yard waste event;
  - (2)** Extra yard waste shall be placed in clear bags and tied closed to prevent the yard waste from escaping;
  - (3)** Each bag of yard waste shall weigh no more than 25 kilograms;
  - (4)** Branches up to 2.5 centimeters in diameter may be cut down to no more than 1.0m in length tied, using tape, into secure bundles weighing; no more than 25 kilograms;
  - (5)** Eligible premises with approved lane or back alley collection service must place extra yard waste at the front of their property for an extra yard waste event, with the exception of those eligible premises where the front of the property is inaccessible by the collection contractor.
- 40** Where a household receives the County's collection service Christmas trees shall be prepared for collection in accordance with the following limits and conditions:
- (1)** Christmas trees longer than 2.0m shall be cut into sections no longer than 1.3m;
  - (2)** Decorations, lights, tree stands, and plastic bags must be removed from the Christmas tree prior to placing it out for collection;
  - (3)** Eligible premises with approved lane or back alley collection service must place Christmas trees at the front of their property for collection, with the exception of those eligible premises where the front of the property is inaccessible by the collection contractor.
- 41** Where a household receives the County's collection service large items shall be prepared for collection only in accordance with the following limits and conditions:
- (1)** For each eligible premises a maximum of two large items weighing no more than 90 kilograms each and no more than 2.0m in any dimension may be placed for collection during a large item event;
  - (2)** Fridges and freezers placed for collection during a large item event must be emptied and have their doors removed;

- (3)** No person shall place any enviroservice materials, recyclable electronics, or items that are accepted under the Alberta Recycling Management Authority's program for collection during a large item event;
  - (4)** Any large item that appears to be placed for collection under Part 11 will be considered an item left for collection. Mistaken, lost, or damaged items will be assessed at the administrator's discretion and may be found to be left at the householder's expense;
  - (5)** Eligible premises with approved lane or back alley collection service must place large items at the front of their property for collection, with the exception of those eligible premises where the front of the property is inaccessible by the collection contractor.
- 42** No person shall place non-collectable materials for collection.
- 43** The householder of each eligible premises shall be responsible for containing collectable materials to prevent their escape into the environment. In the event any collectable material escapes from a householder's collection container that householder shall be responsible to gather the escaped collectable material and deposit it back in the collection container.
- 44** No person other than the householder, the administrator, or the collection contractor shall interfere with, disturb the contents of, remove materials from, or add additional materials to any collection container at an eligible premises.

## **PART 10**

### **COLLECTION CARTS AND KITCHEN CATCHER**

- 45** The administrator shall deliver a waste materials collection cart, an organic materials collection cart, and a kitchen catcher to each eligible premises that receives the County's collection service.
- 46** Collection carts are the property of the County and are identified and linked to each property by a serial number and a radio frequency identification (RFID) tag.
- 47** The administrator shall establish the number and size of collection carts and kitchen catchers assigned to each eligible premises.
- 48** Householders must comply with the following provisions with respect to collection carts:
- (1)** Householders must ensure their assigned collection carts are kept in a clean and sanitary condition;

- (2) Collections carts must not be permanently altered, stickered, or painted;
- (3) The householder must notify the County of any stolen, lost, or damaged collection carts;
- (4) The householder of an eligible premises shall make the collection carts assigned to the eligible premises available to the administrator within a reasonable time frame upon request for inspection or repair, or for confirmation of the serial number or the RFID tag number.
- 49 The repair or replacement of collection carts or kitchen catchers damaged due to misuse, alteration, or abuse by the householder shall be the responsibility of that householder.
- 50 The administrator may charge a fee or issue a fine to an owner for a lost or damaged collection cart, in accordance with the Fees and Charges Bylaw.
- 51 The administrator may charge a repair or replacement fee to an owner under section 50 if an owner sells an eligible premises and there are missing or damaged carts when the subsequent owner takes possession of the eligible premises.
- 52 A householder may request from the administrator a collection cart of a different capacity or an additional collection cart. The householder's service fees will be adjusted in accordance with the Fees and Charges Bylaw.
- 53 In the urban service area and hamlets the collection carts assigned to an eligible premises are to remain with that premises.
- 54 If a person who is the owner of property in the rural area is receiving subscription service when that owner sells that property the administrator will close the subscription service account and will arrange to retrieve the collection carts and kitchen catcher prior to the final date of occupancy by that owner.

## **PART 11**

### **PLACEMENT OF COLLECTION CONTAINERS**

- 55 Collectable materials placed for collection must be placed in front of the eligible premises from which they have accumulated, unless otherwise approved by the administrator.
- 56 Where collection service is provided to a householder on a private street or road, or whose property is adjacent to a provincial highway must place out all collection containers pursuant to approval obtained under section 10.

- 57** Where collection service is provided along a lane or back alley the householder must place collection containers on the householder's land at a location adjacent to the lane or back alley and not separated by any fence, gate, or other structure.
- 58** Where collection service is provided to a residential complex or apartment building the householder shall place the collection containers at a location agreed to by the administrator and the property management group or condominium association.
- 59** Except as specified in sections 56 - 58, collection containers must be placed at roadside only. All collection containers must be placed:
- (1)** on the roadway at the end of the driveway, or the edge of the property abutting the street or road;
  - (2)** so as not to obstruct traffic flow on the street or roadway;
  - (3)** in an upright position with the lid completely closed; and
  - (4)** with the front of the cart facing the street, roadway, or lane.
- 60** During planned snow removal, street sweeping, road maintenance, or other events that may require the roadway to be clear, collection containers must be set back 1.0m from front curb or road line to accommodate these activities.
- 61** Householders will be notified of events under section 60 by road signage, door knockers, newspaper advertisement, or other similar methods.
- 62** Collection containers must be placed such that they have 1.0m of clearance above and on all sides between the collection container and other structures and objects, including other collection containers.
- 63** Collection containers must be placed in a location that is accessible by the automated collection arm on the vehicle supplied by the collection contractor. Collection carts must be placed within 1.5m of the nearest point that the collection vehicle can access.
- 64** A collection container must not have its lid secured, tied, or strapped down when placed for collection.
- 65** Except when placed for collection, each collection container must be stored adjacent to a permanent structure on the householder's premises.



## **PART 12**

### **COLLECTION TIMES AND FREQUENCIES**

- 66** Collection will occur between 7:30 a.m. and 9:00 p.m. on the collection day assigned to each collection zone.
- 67** Collectable materials must not be placed for collection prior to 7:00 p.m. the day before the collection day assigned to that collection zone.
- 68** Collection containers that have been emptied must be removed prior to 9:00 p.m. on the collection day assigned to that collection zone.
- 69** When a regularly scheduled day for collection falls on a Federal, Provincial, or Civic holiday the collection day may be modified to occur on an alternate day designated by the administrator.
- 70** The collection of waste materials and organic materials shall be bi-weekly (once every two weeks) on alternating weeks.
- 71** No householder shall place waste materials for collection on the day designated for collection of organic materials.
- 72** No householder shall place organic materials for collection on the day designated for collection of waste materials.
- 73** Despite section 70, all residents in the urban service area, hamlets, and any other area designated by the administrator shall receive weekly collection of organic materials from mid-May to mid-October, commencing and ending on dates specified each year by the administrator.
- 74** The collection of commingled recyclables shall occur each week.

## **PART 13**

### **RESTRICTIONS ON COLLECTION SERVICE**

- 75** Collection service may not be provided if:
- (1)** the collectable materials are not placed in a collection container as described in section 2(11);
  - (2)** the lid on the collection cart is not completely closed due to the collection cart being overfilled;
  - (3)** there is loose material that is not placed in a collection container;
  - (4)** the collection container contains non-collectable materials;

- (5) the contents of the collection container do not empty properly or fully during the collection process;
- (6) the collectable materials have not been prepared as described in Part 9;
- (7) the placement of the collection container does not comply with Part 11 or Part 12; or
- (8) the owner is in default of payment as described in Part 16.

#### **PART 14**

##### **PARKING ON COLLECTION DAY**

- 76** No person shall park a vehicle within 1.0m of a collection container on collection day.
- 77** No person shall park a vehicle perpendicular to the curb edge of the road on collection day, so as to prevent the collection contractor from reaching the collection containers with the automated collection arm.
- 78** No person shall block or restrict access by the collection contractor on any roadway or lane when the collection contractor is attempting to provide collection services.

#### **PART 15**

##### **RECYCLE STATIONS AND ENVIROSERVICE DEPOTS**

- 79** All persons utilizing a recycle station or enviroservice depot must obey all signs, posted regulations, and directions of site attendants.
- 80** No person shall remove any waste materials, organic materials, container recyclables, fibre recyclables, enviroservice material, or any other material deposited at a recycle station or enviroservice depot without written permission from the administrator.
- 81** No person shall ignite, cause to be ignited, or deposit any burning or smouldering waste material, organic material, fibre recyclable, container recyclable, enviroservice material, or any other material at any recycle station or enviroservice depot.
- 82** No person shall deposit at a recycle station or enviroservice depot any non-collectable material unless authorized in writing by the administrator.
- 83** An enviroservice depot may only be used by residents of the County for the disposal of enviroservice materials originating within the County, unless authorized in writing by the administrator.

## **PART 16**

### **COLLECTION AND DISPOSAL RATES AND CHARGES**

- 84** The rates and charges to be charged for collection services or for disposal services at a recycle station or enviroservice depot shall be set out from time to time in the Fees and Charges Bylaw.
- 85** Householders subscribing or re-subscribing to the County's collection service will be subject to a connection fee as set out in the Fees and Charges Bylaw.
- 86** An account must be opened before the County's collection service is provided. An account will only be opened with the owner of the property.
- 87** As a condition of providing collection service the County may require a guarantee deposit from the owner in the amount of three consecutive billing periods, as determined by the administrator.
- 88** A guarantee deposit is non-transferable and may be in the form of a security bond, letter of credit, cash, or a certified cheque.
- 89** If a guarantee deposit has been provided under section 87, upon discontinuance of service the deposit shall be returned to the owner within 30 days of the last date of service.
- 90** If a guarantee deposit provided under section 87 is returned under section 89 the County shall return the deposit amount plus interest, calculated at a rate of one-half percent (0.5%) below the County's weighted average rate of return from the previous year.
- 91** All utility bills will be due and payable as specified on the bill and payments may be made as specified on the utility bill or to an agent of the County.
- 92** In the event a utility bill remains unpaid after the date fixed for payment a penalty, established by Council by Resolution, may be added to the amount outstanding and shall form part of the rates levied.
- 93** In the event a utility bill remains unpaid more than 60 days after the date fixed for payment the administrator may serve written notice by mail, to the householder advising that unless the account is paid in full within 10 days of receiving the notice the County may proceed with collection measures.
- 94** Any utility bill remaining unpaid under section 92 will constitute a debt owing to the County and is recoverable by:
- (1)** action in a court of competent jurisdiction;
  - (2)** shutting off or discontinuing the County's collection service; and

**(3)** collecting in a like manner such as through municipal rates and taxes.

**95** In the event of a foreclosure the billing account shall be managed by the administrator by undertaking all reasonable actions to reduce the County's exposure to financial loss.

### **CLOSING ACCOUNTS**

**96** A householder who is approved to opt-out of the County's collection service under Part 6 will have their account closed.

**97** When ownership of a property changes through sale or any other method the outgoing owner's account will automatically be closed, and the incoming owner's account will automatically be opened, on the day of transfer of ownership.

## **PART 17**

### **COLLECTION SERVICE BILLING PROCEDURE**

**98** Where there is compulsory service for utility services, collection service charges shall be included in the monthly utility bill.

**99** In the urban service area, where a householder utilizes subscription service, subscription service charges shall be included in the monthly utility bill.

**100** In the rural area, where a householder utilizes subscription service, subscription service charges shall be included in the monthly or quarterly utility bill.

**101** Where collection service is added or deleted during a billing period, utility bills may be prorated in accordance with the actual number of days of service that are provided by the County in the billing period.

**102** Where a utility bill has been prepaid and collection service is subsequently discontinued the County will provide a pro-rated refund based on the number of days of service that have been provided and the number of days of service that are remaining.

## **PART 18**

### **OFFENCES AND PENALTIES**

**103** The administrator is hereby authorized to enforce the provisions of this Bylaw.

**104** Any person who contravenes a provision of this Bylaw is guilty of an offence and is liable to a penalty as set out in Schedule "A" of this Bylaw.

- 105** Notwithstanding section 104, any person who commits a second or subsequent offence within one year of committing an offence under this Bylaw is liable to a fine of double the amount set out in Schedule "A" of this Bylaw.
- 106** A person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided is liable to a fine of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00).
- 107** A person contravening any provision of this Bylaw shall not be subject to imprisonment as a penalty for that offence.
- 108** Nothing in this Bylaw will be construed as curtailing or abridging the right of the County to obtain compensation for, or to maintain an action for, loss of or damage to property from or against the person or persons responsible.

## **PART 19**

### **VIOLATION TAG**

- 109** The administrator is hereby authorized to issue a violation tag to any person who the administrator has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 110** A violation tag may be issued either personally or by mailing a copy to the last known address.
- 111** A violation tag shall be in the form approved by the County and shall state:
- (1)** the name of the person;
  - (2)** the offence;
  - (3)** the date of the offence;
  - (4)** the penalty, as set out in Schedule "A" and in accordance with sections 104-107;
  - (5)** that the penalty must be paid within 30 days of the issuance of the violation tag; and
  - (6)** any other information as may be required by the County.
- 112** No more than one violation tag may be issued to a person each day for the same offence.

- 113** Where a violation tag is issued pursuant to this Bylaw, the Person to whom the violation tag is issued may, in lieu of being prosecuted for the offence, pay to the County the penalty specified on the violation tag.

## **PART 20**

### **VIOLATION TICKET**

- 114** In those cases where a violation tag has been issued, and the penalty specified on the violation tag has not been paid within the prescribed time, the administrator is hereby authorized to issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended or repealed and replaced from time to time.
- 115** Notwithstanding section 114, the administrator is hereby authorized to immediately issue a violation ticket to any person who the administrator has reasonable grounds to believe has contravened any provision of this Bylaw.
- 116** Where a violation ticket has been issued to a person pursuant to this Bylaw that person may plead guilty to the offence by submitting to the Clerk of the Provincial Court, prior to the appearance date specified on the violation ticket, the specified penalty set out on the violation ticket.
- 117** Notwithstanding section 116, the administrator has the discretion to require a mandatory court appearance by a person who has committed an offence for which no penalty is specified in Schedule "A".

## **PART 21**

### **SEVERABILITY PROVISION**

- 118** Should any provision of this Bylaw be invalid then such provision shall be severed and the remaining Bylaw shall be maintained.

**PART 22**

**GENERAL**

- 119** Nothing in this Bylaw shall operate to relieve any person from complying with any Federal, Provincial, or other County law, order, regulation, or Bylaw.
- 120** Bylaw 41-2013 is hereby repealed.
- 121** This Bylaw will come into force and effect after third reading and upon being signed.

Read a first time this 4<sup>th</sup> day of November, A.D. 2014.

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2015.

Read a third time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2015 and finally passed.

Roxanne Carr

Mayor

Jacqueline Roblin

A/Director, Legislative & Legal Services

Date Signed: April 2, 2015

**SCHEDULE "A": PENALTIES**

Offence	Section	Penalty
Improper containment of collectable materials in collection container, or improper gathering of escaped materials from collection container.	<b>5(4), 43</b>	<b>\$100.00</b>
Improper storage of collection containers, except on collection day.	<b>5(5)</b>	<b>\$100.00</b>
Improper preparation of collectable materials.	<b>Part 9</b>	<b>\$100.00</b>
Improper placement of collection containers for collection.	<b>Part 11</b>	<b>\$100.00</b>
Interference with or removal of the contents of any collection container not belonging to the householder.	<b>44</b>	<b>\$100.00</b>
Failure to comply on an annual basis with the compulsory service requirements in the rural area.	<b>13</b>	<b>\$100.00</b>
Improper parking near a collection container or blocking the collection contractor so as to restrict collection services.	<b>Part 14</b>	<b>\$100.00</b>
Failure to obey posted signs, regulations, or directions of site attendants at a recycle station or enviroservice depot.	<b>79</b>	<b>\$100.00</b>
Removal of collectable materials from a recycle station or enviroservice depot.	<b>80</b>	<b>\$100.00</b>
Igniting or depositing burning collectable materials at a recycle station or enviroservice depot.	<b>81</b>	<b>\$500.00</b>
Depositing non-collectable materials at a recycle depot or enviroservice depot.	<b>82</b>	<b>\$100.00</b>
<p>Each residential complex that has received a development permit before June 30, 2015 must implement, by September 30, 2015 on-site collection services for waste materials, organic materials and commingled recyclables unless at the passage of the bylaw the property relies on automated bin service, these properties will be required to provide at minimum waste collection and one of paper or cardboard recycling.</p> <p>Any residential complex failing to provide a Custom Waste Diversion Plan.</p>	<b>30, 34</b>	<p><b>First Offence:</b> <b>\$250.00</b> <b>Second Offence:</b> <b>\$500.00</b></p>
<p>Failure of a residential complex or apartment building that has received a development permit before June 30, 2015 to implement on site collection services for waste materials, and one of paper or cardboard by September 30, 2015, or failure to provide a Custom Waste Diversion Plan.</p>	<b>31, 34</b>	<p><b>First Offence:</b> <b>\$250.00</b> <b>Second Offence:</b> <b>\$500.00</b></p>



Failure of a residential complex or apartment building that receives a development permit on or after June 30, 2015 to implement on-site collection services for commingled recyclables, organic materials and waste materials, or failure to provide a Custom Waste Diversion Plan.	<b>32, 34</b>	<b>First Offence: \$250.00 Second Offence: \$500.00</b>
Failure of a person who provides private collection service to comply with any provision in Part 7 of this Bylaw.	<b>Part 7</b>	<b>First Offence: \$2,000.00 Second Offence: \$4,000.00</b>