

**BYLAW 12-050
OF
LAC LA BICHE COUNTY**

A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA TO REGULATE WASTE & RESOURCE RECOVERY MANAGEMENT.

WHEREAS under the authority and pursuant to the *Municipal Government Act*, RSA 2000 c. M 26, and amendments thereto, Council may enact Bylaws to regulate and control the delivery, use and operation of a waste and resource recovery management utility within Lac La Biche County;

AND WHEREAS, the Council of Lac La Biche County may also enact Bylaws with respect to the safety, health and welfare of persons within the county and the protection of people and property of the county;

AND WHEREAS, the Council of Lac La Biche County may also enact Bylaws with respect to the collection, removal, disposal and processing of waste materials;

AND WHEREAS, the Council of Lac La Biche County deems it desirable to establish a Bylaw to regulate such matters;

AND WHEREAS, the Council of Lac La Biche County deems it desirable for regulations which affect neighbourhood livability to be located, as much as possible, in one Bylaw;

NOW THEREFORE under the authority, and pursuant to the provisions of the said *Municipal Government Act*, RSA 2000 c. M 26, and by virtue of all other enabling powers, the Council of Lac La Biche County, duly assembled, enacts as follows:

PART ONE – TITLE AND DEFINITIONS

Section 1 Title

1.1 This Bylaw may be cited as the “Waste & Resource Recovery Management” Bylaw.

Section 2 Definitions

1.2.1 “Act” shall mean the *Municipal Government Act*.

- 1.2.2 “**Chief Administrative Officer**” or “**CAO**” shall mean the Chief Administrative Officer of the County.
- 1.2.3 “**Collection Day**” shall mean the day/days during each month, which has been designated by the Waste Collector and approved by the County, on which Waste is to be collected from Eligible Premises.
- 1.2.4 “**Collection Point**” shall mean the point at the boundary of Eligible Premises, at which the Waste Collector shall collect Waste (see Schedule “D”).
- 1.2.5 “**Council**” shall mean the Municipal Council of the County.
- 1.2.6 “**County**” shall mean Lac La Biche County.
- 1.2.7 “**Eligible Premises**” shall mean those properties in the County for which the County provides Waste collection and which are not Non-Eligible Premises.
- 1.2.8 “**Household Waste**” shall mean all refuse and garbage which results from the normal operation of a household and shall not include Yard Waste or any items listed in Section 2.2.8 of this Bylaw.
- 1.2.9 “**Industrial, Commercial and Institutional Waste**” or “**ICI Waste**” shall mean material/s:
- a) From excavation;
 - b) From lot clearing;
 - c) From new building construction;
 - d) From repairs, alterations, renovations, maintenance, or debris from any building removed or destroyed by fire or any other cause;
 - e) From manufacturing processes;
 - f) Including non-hazardous waste from garages, shops, retail stores and service stations;
 - g) Including non- hazardous waste from factories or other works;
 - h) From warehouses;
 - i) Including ashes from industrial plants;
 - j) From institutional premises like hospitals, schools and lodges; and
 - k) Other than human or animal excrement or Household Waste.
- 1.2.10 “**Landfill**” shall mean a site for disposal of Waste in or on the ground by burial.
- 1.2.11 “**Manifest**” shall mean a document produced by an ICI Waste Collector, which lists the name and origin of the Waste producer, and content of the Waste to be accepted by a County Landfill or Transfer Station.
- 1.2.12 “**Municipal Tag**” means a ticket alleging an offence issued pursuant to the authority of this Bylaw.

- 1.2.13 **"Peace Officer"** means a Person appointed as a peace officer pursuant to section 7 of the *Peace Officer Act*, S.A. 2006, Chapter P-35.
- 1.2.14 **"Non-Eligible Premises"** shall mean those properties within the County which are not eligible for municipal residential Waste collection as defined in Section 2.3.1 of this Bylaw.
- 1.2.15 **"Recyclable Materials"** shall mean generally accepted materials for recycling as defined in Schedule "A" of this Bylaw.
- 1.2.16 **"Recycling Container"** shall mean a County owned and supplied 65 gallon rolling recycle cart intended for collection of Recyclable Materials.
- 1.2.17 **"Resource Recovery Operator"** shall mean any County Employee directed by the CAO or his/her designate to monitor and maintain area Transfer Stations or Landfills.
- 1.2.18 **"Seasonal Residence"** shall mean any residence in the County that is only occupied for a specific time period throughout the year.
- 1.2.19 **"Transfer Station"** shall mean a facility that receives Waste from an area where it is consolidated by transferring it to a larger vehicle.
- 1.2.20 **"Waste"** shall mean Household Waste, household Recyclable Materials and residential yard waste.
- 1.2.21 **"Waste Collection Fees"** shall mean the monthly fees charged to Eligible Premises for the collection of Waste through the Waste Collection Day Program as set out in section 2.1.1 of this Bylaw.
- 1.2.22 **"Waste Collection Day Program"** shall mean the program of Waste Collection Service provided by the County for the Waste Collection Fees in accordance with this Bylaw.
- 1.2.23 **"Waste Collection Service"** shall mean the collection, removal and processing or disposal of Waste from Eligible Premises.
- 1.2.24 **"Waste Collector"** shall mean the person(s) or company authorized by the County to collect, remove, process or dispose of Waste from Eligible Premises.
- 1.2.25 **"Waste Container"** shall mean a County owned and supplied 65 gallon rolling waste cart intended for collection of Household Waste.

- 1.2.26 “**Vacant Property**” shall mean any Eligible Premise that has no dwelling on the property, as listed in Section 2.1.7 of this Bylaw.
- 1.2.27 “**Violation Ticket**” means a ticket issued for an offence committed against any of the provisions of this Bylaw and shall be issued pursuant to Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, Chapter P-34.

PART TWO – HOUSEHOLD WASTE AND RECYCLING COLLECTION

Section 1 Waste Collection Fees Structure

- 2.1.1 A monthly Waste Collection Fee shall be charged to each Eligible Premise as part of the utility account for that Eligible Premise as set forth in Schedule “B” of this Bylaw.
- 2.1.2 In the case of default in payment in of a Waste Collection Fee, the County may enforce payment by action in a Court of Competent Jurisdiction or alternatively by making the Waste Collection Fee(s) in default a charge against the Eligible Premises or as a lien, charge or registration against the title to the Eligible Premises. Waste Collection Fees shall be subject to the same penalties as and shall be collected in a like manner as municipal rates and taxes and may be added to the tax roll of the Eligible Premises to which the Waste Collection Service is provided.
- 2.1.3 All Waste Collection Day Program utility accounts shall remain in the name of the property owners of the Eligible Premises and all invoices for Waste Collection Fees for the Waste Collection Day Program shall be forwarded to the address of the property owner of the Eligible Premises. When a property owner of an Eligible Premises rents or leases out that Eligible Premises to which the County provides Waste Collection Services, all Waste Collection Day Program utility accounts shall remain in the name of and be the responsibility of the property owner of that Eligible Premises. When Waste Collection Services are provided to a mobile home situated in a mobile home park, the Waste Collection Day Program accounts shall remain in the name of and be the responsibility of the owner of the mobile park.
- 2.1.4 A property owner may request in writing that the County provide an additional Recycling Container for its Eligible Premise. The cost for the extra Recycling Container(s) and its Waste Collective Service will be over and above the cost of the basic Waste Collection Service provided to an Eligible Premise as set forth in Schedule “B” of this Bylaw. Such request will be reviewed by the County, and if approved the rates for such extra Waste Collection Service will be added to the Waste Collect Day Program utility for that Eligible Premise.
- 2.1.5 A Seasonal Residence shall be allowed to disconnect from Waste Collection Service and the Waste Collection Day Program for its Eligible Premise as per Utilities Bylaw 12-003, Section 8d as amended from time to time, if the Seasonal Residence is either disconnecting its property from

a minimum of one other utility or if the property is vacant for a time period of a minimum of ninety (90) days.

- 2.1.6 Vacant Properties that are considered an Eligible Premise will not be considered for participation in the Waste Collection Day Program, and will not be charged Waste Collection Fees, unless a permit for construction of a dwelling has been issued by the County.

Section 2 Household Waste and Recycling Collection Prohibitions

- 2.2.1 No person shall allow Waste to spill over or accumulate on any lane, street or property within the County whether it is public or private property. Every person shall ensure that all Waste is kept within the Waste Container and Recycling Container for its Eligible Premise with the lid on and securely closed.
- 2.2.2 The Waste Container(s) and Recycling Container(s) (hereinafter "Containers") for all Eligible Premises shall be set out at the Collection Point between 6:00am and 8:00am on the morning of Collection Day and removed from the Collection Point by 6:00am the day after Collection Day. Containers located on any street before or after the time specified above may be removed by the County and the property owner shall be subject to the penalty specific in Schedule "C" of this Bylaw.
- 2.2.3 There MUST be a minimum of 1.2 meters clearance around all sides of the Containers. Clear, unimpeded access to the Containers must be maintained at all times for the Waste Collector on Collection Day as per Schedule "D" of this Bylaw, and:
- a) Containers must be placed on the edge of the roadway on the front curb of each Eligible Premises such that the wheels of the Containers are situated within the curb, and the Containers are facing the center of the roadway; and
 - b) if a front curb is not present at an Eligible Premises then that Eligible Premises must place its Containers a minimum of 1.2 meters from the roadway on its front property access road, such that the wheels of the Containers are facing the Eligible Premise.
- 2.2.4 No person shall allow their Waste Container(s) or Recycling Container(s) to fall into disrepair or become noxious, offensive or dangerous to public health.
- 2.2.5 No person shall pick over, interfere with, disturb, remove, or scatter any Waste within in a Waste Container or Recycling Container at a Collection Point.
- 2.2.6 No person other than the Waste Collector shall collect Waste from Eligible Premises.
- 2.2.7 No person shall vandalize or willfully damage any Waste Container or Recycling Container.

- 2.2.8 No person shall place for collection at a Collection Point or mix with any other Waste, any of the following items;
- a) Industrial, Commercial and Institutional Waste;
 - b) Construction, renovation or demolition materials
 - c) Combustible, explosive or toxic material including but not limited to:
 - i Fuels;
 - ii Lubricants;
 - iii Gun powder;
 - iv Bullets;
 - v Dynamite;
 - vi Blasting caps;
 - vii Radioactive materials;
 - viii Hypodermic needles; and
 - ix Fireworks;
 - d) Household hazardous waste or dangerous goods including but not limited to:
 - i Solvents;
 - ii Oven cleaners;
 - iii Paints;
 - iv Automotive fluids;
 - v Wet cell batteries;
 - vi Pesticides/Herbicides; and
 - vii Other material commonly referred to as household, commercial or industrial hazardous waste;
 - e) Sharp objects and broken glass unless packaged in a sealed, secure, safety container;
 - f) Pathogenic or biomedical hazardous waste;
 - g) Fluorescent light tubes and compact fluorescent light bulbs;
 - h) Compressed propane or butane cylinders;
 - i) Large or bulky items including but not limited to:
 - i Mattresses;
 - ii Box springs;
 - iii Furniture; and
 - iv Major appliances;
 - j) Electronic equipment including but not limited to:
 - i Televisions;
 - ii Computer towers;
 - iii Computer monitors;
 - iv Keyboards;
 - v Associated cables and connectors;
 - vi Power bars;
 - vii Universal power supplies;

- viii Phones;
- ix Transformers;
- x AC/DC adapters; and
- xi Any equipment containing a circuit board;
- k) Automotive Parts including but not limited to:
 - i Lead acid batteries;
 - ii Scrap metal;
 - iii Oil filters;
 - iv Empty oil containers;
 - v Tires; and
 - vi Automotive bodies or body parts;
- l) Oil or other petroleum by-products;
- m) Sawdust unless double bagged before placing in the Waste Container;
- n) Hot ashes or other burning matter;
- o) Liquid wastes or sludge;
- p) Yard Waste including but not limited to:
 - i Trees;
 - ii Shrubs;
 - iii Branches over 0.5 meter in length and 1 centimeter in diameter;
 - iv Soil;
 - v Sod;
 - vi Rock; and
 - vii Stumps and any other woody materials;
- q) Animal waste including but not limited to:
 - i Domestic animal (pet) carcasses;
 - ii Offal/carrion;
 - iii Manure;
 - iv Kennel waste; and
 - v Any animal parts or excreta (unless the animal excreta are placed in a double bag and securely tied before placing it in a Waste Container).

2.2.9 Any person who places any item listed in Section 2.2.8 of this Bylaw into a Waste Container or Recycling Container will be responsible for any costs associated with the cleanup by the County, as set forth in Schedule "B" of this Bylaw, and is guilty of an offence and shall be liable upon conviction of a penalty as set forth in Schedule "C" of this Bylaw.

2.2.10 The property owner of an Eligible Premise shall be responsible for any damage to or loss of its Waste Container and Recycling Container unless the damage results from normal wear and tear or was caused by the Waste Collector. The County will invoice the Eligible Premises or person responsible for the damaged Waste Container or Recycling Container at a rate as set forth in Schedule "B" of this Bylaw.

- 2.2.11 Every person and property owner will follow visual and/or written forms of communication from the Waste Collector, including but not limited to the following topics:
- a) Waste Container and Recycling Container placement at the Collection Point;
 - b) Waste Container and Recycling Container prohibited contents; and
 - c) Any other issue that may arise regarding collection of Waste.
- 2.2.12 The Waste Container is not to be used as a Recycling Container and the Recycling Container is not to be used as a Waste Container. Both the Waste Container and Recycling Container shall be used only for the purposes indicated herein and for no other purpose whatsoever.
- 2.2.13 Every person who is the property owner, occupant or is otherwise in control of an Eligible Premise is required to place all Household Waste and Recyclable Materials in the appropriate Waste Container and Recycling Container and to place that Waste Container and Recycling Container at the Collection Point on the Collection Day as specified herein and in Schedule "D".
- 2.2.14 Household Waste placed in the Waste Container must be contained within refuse bags to prevent Household Waste from spilling out or becoming wind born during the operation of the Waste collection system equipment by the Waste Collector.
- 2.2.15 Recyclable Materials must be contained within a clear plastic bag, if the Recyclable Materials are susceptible to spilling out or becoming wind born, to prevent the Recyclable Materials from spilling out or becoming wind born during the operation of the Waste collection system equipment by the Waste Collector.
- 2.2.16 The volume of Household Waste and Recyclable Materials allowed for Waste Collection Service at each Eligible Premises shall not exceed the amounts specified in Schedule "F" of this Bylaw.

Section 3 Non-Eligible Premises

- 2.3.1 Non-Eligible Premises include the following;
- a) Units within a Condominium Plan;
 - b) Group Housing, Lodges, and Complexes over a four-plex in size;
 - c) Apartments, Hotels, Motels, Boarding and Rooming Houses;
 - d) Institutional, Industrial or Commercial premises; and
 - e) Residential Premises which are attached to or form part of a Commercial Premises.
- 2.3.2 Owners and occupants of Non-Eligible Premises defined in Section 2.3.1 of this Bylaw shall be responsible for managing and disposing of all forms of Waste generated from their Non-Eligible Premises and shall keep their Non-Eligible Premises free of Waste.

- 2.3.3 Non-Eligible Premises shall be held accountable to the County Standards for Waste.
- 2.3.4 If an Eligible Premise does not wish to participate in the Waste Collection Day Program then that Eligible Premise must submit in writing its intent and reasons to the CAO or his/her designate. If the reasons are deemed valid by the CAO or his/her designate, the Eligible Premise will be notified in writing and permitted to not participate in the Waste Collection Day Program. That Eligible Premise will still be held accountable to the County Standards for Waste and charged the monthly Waste Collection Fees even though exempt from Waste Collection Day Program.

PART THREE - LANDFILLS & TRANSFER STATIONS

- 3.1 The County reserves the right to control the type and nature of Waste which may be deposited in the Landfills or Transfer Stations. No Waste may be deposited except in accordance with this Bylaw, and in accordance with the *Environmental Protection and Enhancement Act* Waste Control Regulations as amended from time to time.
- 3.2 Persons who haul Waste to the Landfills or Transfer Stations must deposit Waste in properly designated areas, and do so in an orderly manner.
- 3.3 Hazardous waste, liquid wastes, radioactive wastes, explosives, PCB's, oilfield wastes, specific risk material, and hot ashes are not accepted at Landfills or Transfer Stations with the exception of approved designated operational plans and/or prior written approval is obtained from the CAO or his/her designate.
- 3.4 No dead animals shall be disposed of or deposited at or in the Landfills or Transfer Stations, with the exception of approved designated operational plans and/or prior written approval is obtained from the CAO or his/her designate.
- 3.5 No ICI Waste will be accepted at any area Transfer Stations with the exception of approved designated operational plans and/or so directed by the CAO or his/her designate.
- 3.6 All ICI Waste must accompanied by a Manifest or will not be accepted in any area Landfills, and/or transfer stations.
- 3.7 All Recyclable Materials brought to Transfer Stations or Landfills must be placed in clear plastic bags or be clearly visible and sorted prior to arrival.
- 3.8 Clean cardboard will not be accepted at any time in any Landfill or Transfer Station unless for the purpose of recycling, as defined in "Schedule A" of this Bylaw.

- 3.9 All Waste will be screened by the Resource Recovery Operator upon arrival at the Landfill or Transfer Station.
- 3.10 A Resource Recovery Operator may at any time and in his/her sole discretion deny anyone from depositing their Waste if the Resource Recovery Operator deems the load does not satisfy this Bylaw.
- 3.11 No person shall dump, dispose of or abandon Waste at or near a Landfill or Transfer Station or any other facility licensed to receive any category of Waste when that Landfill or Transfer Station is not open or when the operator or staff of the Landfill or Transfer Station refuses to accept the Waste at that time or from that person.

PART FOUR- GENERAL PROHIBITIONS

- 4.1 Except as otherwise provided in this Bylaw; the collection, removal, processing and disposal of Waste shall be under the direction of the CAO or his/her designate.
- 4.2 No person shall collect, dispose of, or remove Waste in the County except in accordance with the provisions of this Bylaw.
- 4.3 No person shall burn Waste in the County in a barrel, stove or other device or in the open as a method of Waste disposal, except for brush, tree limbs and milled wood that is free from adhesives, coatings and preservatives, unless such burning is otherwise permitted by law.
- 4.4 No Person shall import Waste generated from outside the boundaries of the County, unless otherwise directed by the CAO his/her designate.
- 4.5 Notwithstanding Section 4.4 hereof, with the authorization and direction of Council, the Waste Collector may export Waste to licensed facilities outside the boundaries of the County.
- 4.6 Within the County no person shall operate a vehicle carrying Waste or ICI Waste unless the material is secured or covered securely to prevent any part of such material from falling off, or out of, the vehicle while in transit.

PART FIVE - SPRING OR FALL CLEANUP

- 5.1 At any time Council may provide for special events resulting in the temporary removal of Fees as specified in Policy PL 43-001 as amended from time to time.
- 5.2 Public notice of such special events will be provided by the County at least one week prior to the special event commencement.

PART SIX - NON-COMPLIANCE WITH BYLAWS

- 6.1 Any person who commits a breach of any of the provisions of this Bylaw is guilty of an offence and is liable on summary conviction to specific penalties as prescribed in Schedule "C" of this Bylaw.
- 6.2 A Peace Officer is authorized to enforce this Bylaw under section 7 of the Act, and may, under Part 2 of the *Provincial Offences Procedures Act*, issue a Violation Ticket.
- 6.3 A person who commits an offence may, if a Violation Ticket is issued in respect of the offence and if the Violation Ticket specified the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine.
- 6.4 A Municipal Tag may be issued by the County in respect of an offence, and if issued the Municipal Tag must specify the fine amount established by this Bylaw for the offence.
- 6.5 A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this bylaw for the offence and if the amount is paid within twenty-one (21) days of the date of the Municipal Tag in a form satisfactory to the County, at the County office, whether in person or by mail, the person will not be prosecuted for the offence.
- 6.6 The County is not first required to issue a Municipal Tag for an offence before a Violation Ticket may be issued. If the person to whom a Municipal Tag is issued fails to pay the fine within the time specified, the County may prosecute under this Bylaw pursuant to the *Provincial Offences Procedures Act*. However, nothing contained herein shall prevent the immediate issuance of a Violation Ticket, at any time.

PART SEVEN – EFFECTIVE DATE

- 7.1 This Bylaw shall come into effect upon passing of the third reading.

PART EIGHT - BYLAW 09-043

- 8.1 Bylaw 09-043 and amendments thereto are repealed.

MOTION BY COUNCILLOR KUMPULA THAT BYLAW 12-050 BE GIVEN FIRST READING THIS 25TH DAY OF JUNE, 2013.

MOTION BY COUNCILLOR UGANECZ THAT BYLAW 12-050 BE GIVEN SECOND READING THIS 25TH DAY OF JUNE, 2013, AS AMENDED.

MOTION BY COUNCILLOR KUMPULA THAT BYLAW 12-050 BE SUBMITTED FOR THIRD READING THIS 25TH DAY OF JUNE, 2013.

MOTION BY COUNCILLOR NOWAK THAT BYLAW 12-050 BE GIVEN THIRD READING THIS 25TH DAY OF JUNE, 2013.

"Original Signed"
Mayor

"Original Signed"
Chief Administrative Officer

Schedule "A" – Recyclable Materials

Item	Requirements
Steel, Tin, and Aluminum Food and Beverage Cans	Clean, empty, NO SHARP METAL LIDS (except for jar lids with paint coating)
Rigid Plastic Food Tubs, Bottles and Pails (with lids on the side) stamped with a recycling logo and plastic code 1 – 7 only	Clean, empty
Cardboard and Boxboard	Clean, Flattened, NO PIZZA BOXES, NO WAX COATED BOXES Clean, flattened, NO CONTAMINATED OR WAX/OIL COATED BOXES
Newspaper Magazines Phone Books Soft Cover Books Sugar and Cookie Bags Glossy Brochures Flyers	Clean and bundled, non-plastic bagged or boxed
Office Paper	Clean and bundled with non-plastic string, NO SHREDDED PAPER

Schedule "B" – Waste Collection Fees

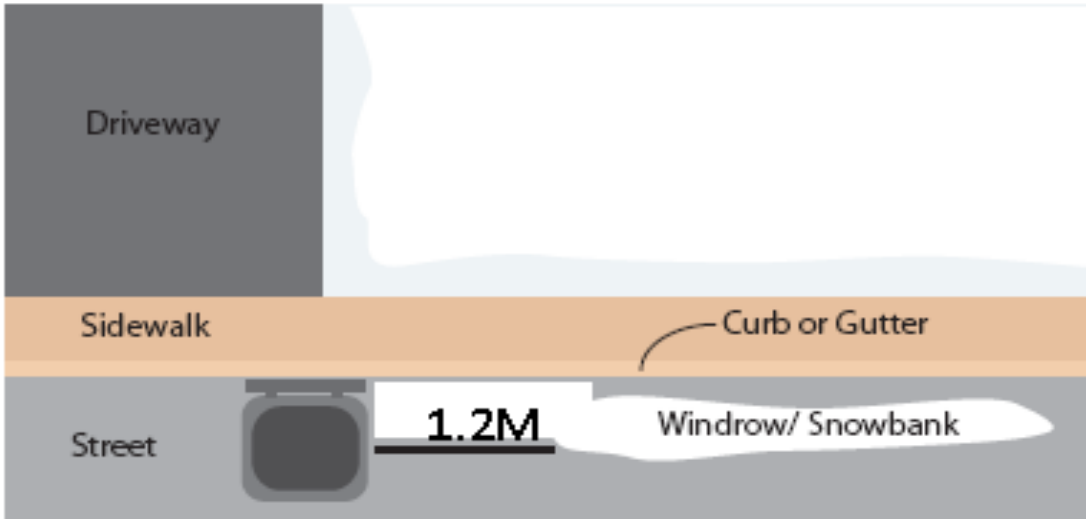
Refer to the Lac La Biche County "Schedule of Fees and Charges, Policy No: CS-10-012", as amended by Council from time to time.

Schedule "C" – Penalties

Refer to the Lac La Biche County "Schedule of Fees and Charges, Policy No: CS-10-012", as amended by Council from time to time.

Schedule "D" – Front Street Waste Container and Recycling Container Collection Point

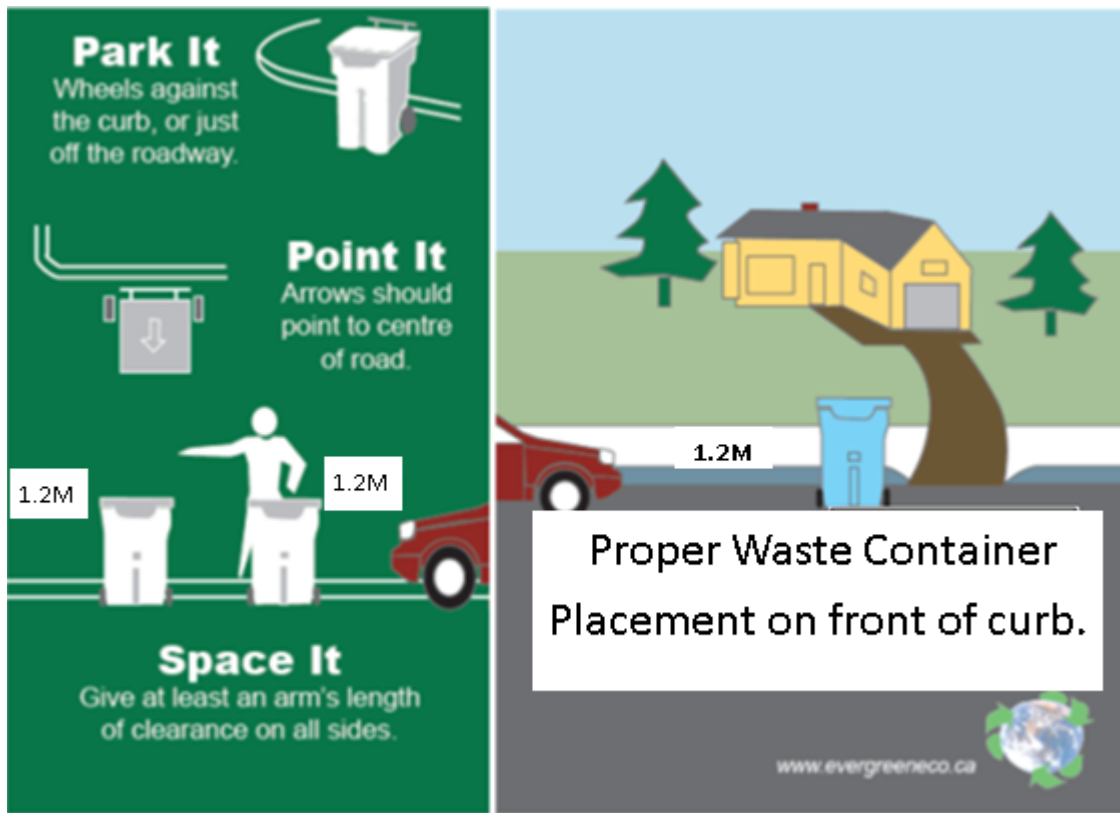
Both the Waste Container and the Recycling Container (hereinafter "Containers") shall be placed with both wheels against, or as close as possible, to the curb. The Containers shall not be placed on the sidewalk as per 2.2.3 (a). If there are snow banks along the curb or gutter, the Containers can be placed out from the curb but not in such a way that impedes traffic flow. The Containers shall not be placed on any snow bank.



Containers shall be placed on the Eligible Premise front property access road at a minimum of 1.2 meters from roads edge if no curb is present as per 2.2.3 (b).



The Containers should be placed no closer than 1.2 meters to any obstacle or parked car.



24 hour Community Recycling Centre Diagram and illustration to be included as amended from time to time.

Schedule "E" – Specific Exemptions

1. When absenting the property, Seasonal Residences may contact the County to have their Waste Collection Service discontinued for the time the property will be vacated and may contact the County to reconnect for the Waste Collection Fees outlined in the County's Utilities Bylaw 12-003, Section 8d as amended from time to time.
2. Properties in the Waste Collection Service area that do not contain a residence.
3. As approved in part 2.3.4 by the CAO or his/her designate.

Schedule "F" – Waste Volume Limits

Household Waste Volume Limits:

Each Eligible Premises may put out for collection one Waste Container each Collection Day.

Recyclable Material Volume Limits:

Each Eligible Premises may put out for collection one Recycling Container each Collection Day unless approved for an additional Container(s) by the County in accordance with this Bylaw.