

The Town of Millet SOLID WASTE MANAGEMENT BYLAW

2019/07

A BYLAW OF THE TOWN OF MILLET IN THE PROVINCE OF ALBERTA TO SET FORTH TERMS AND CONDITIONS FOR THE COLLECTION, REMOVAL AND DISPOSAL OF SOLID WASTE, RECYCLABLE AND ORGANIC MATERIALS THROUGHOUT THE MUNICIPALITY.

WHEREAS, Pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws respecting services provided by or on behalf of the Municipality and to pass a Bylaw respecting the safety, health and welfare of people;

NOW THEREFORE, the Council of The Town of Millet, duly assembled enacts as follows:

PART I - BYLAW TITLE

This bylaw may be cited as the "Solid Waste Management Bylaw".

PART II - DEFINITIONS

- 1) In this bylaw unless the context otherwise requires:
 - a) "blue bag" means a blue transparent plastic bag in which acceptable recyclable material may be placed.
 - b) "C.A.O." means the Chief Administrative Officer of the Town of Millet.
 - c) "Collector" means any person authorized to collect, remove and dispose of residential waste, recycling and organics pursuant to this Bylaw.
 - d) "Enforcement Officer" means any member of the RCMP, a Peace Officer and a Bylaw Enforcement Officer.
 - e) "highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes;
 - i) a sidewalk (including the boulevard portion of the sidewalk);
 - ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and;
 - iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the lands between the fences or all the lands between the fence and the edge of the roadway as the case may be, but;
 - iv) does not include a place declared by the Lieutenant Governor in Council not to be a highway.
 - f) "Organic material" means generally accepted materials for composting, as per items stated in Policy # 35.

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- g) "receptacle" means an animal proof container constructed of non-corrosive durable metal, rubber or plastic.,
- h) "recyclable material" means generally accepted materials for recycling, as per items stated in Policy # 35.
- i) "residential waste" means all non-hazardous materials coming from residential dwellings except restricted waste as outlined in, but not necessarily limited to, Clause 28 of this Bylaw.
- j) "Town" means the Town of Millet.

PART III – FEE STRUCTURE

- 2) The full cost of residential waste, recyclable and organic materials collection and disposal from eligible premises within all areas of the Town shall be recovered through a solid waste service fee charged on utility bills as set forth by Town policy.
- 3) Every eligible premise must participate in the residential solid waste management system as provided by the Town.
- 4) Any utility account in arrears may be subject to additional interest costs or collection procedures as outlined in the Town's Water and Sewer Regulations Bylaw.
- 5) Eligible premises shall include single residential dwellings, mobile homes, duplex residential dwellings, and multi-residential row housing.
- 6) Non-eligible premises shall include all commercial, industrial and institutional property and buildings as outlined by the Town's Land Use Bylaw, and apartments. Waste collection, removal and disposal from non-eligible premises is at the sole responsibility and expense of the owner or occupier of the premises.

PART IV - COLLECTION

- 7) Collection of residential waste shall be on a weekly basis on a day determined by the Chief Administrative Officer in consultation with the Collector.
- 8) Collection of recyclable materials shall be once every two weeks on a day determined by the Chief Administrative Officer in consultation with the Collector.
- 9) Collection of organic materials shall be once every a week from May-October and once every two weeks from November – April on a day determined by the Chief Administrative Officer in consultation with the Collector.
- 10) The Town may contract with any person or persons and provide an exclusive or nonexclusive franchise for the collection, removal and disposal

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of residential waste, recyclable and organic materials upon such terms and conditions as are considered expedient to the Town.

- 11) The Collector shall provide two 272 litre (65 gallon) receptacles to all eligible dwellings, a beige one for waste and a green one for organic materials at no cost. The receptacles will be assigned to each property. The Collector will retain ownership of the receptacles. In the event that the owner or occupier of an eligible premises moves, the receptacles shall be left behind.
- 12) All receptacles will be fitted with covers, which must remain closed. The covers prevent residential waste/organic materials from spilling or blowing from the receptacles and prevent water or animals from entering.
- 13) In the event that the quantity of waste/organic materials cannot be contained in one receptacle, the property owner has the option to subscribe to a second receptacle at the property owner's expense.
- 14) Solid waste or organic materials shall not be collected in any receptacle which has not been supplied by the Collector.
- 15) Every person is required to place all recyclable material in a blue bag for collection.
- 16) No plastic bags of any kind shall be used to dispose of organic materials in the green receptacles other than compostable bags.
- 17) Every person is required to purchase their own blue bags and compostable bags.
- 18) There is no limit to the amount of recyclable material, so long as it is contained in blue bags, eligible for pick up.
- 19) No person shall place or keep receptacles upon any alley or highway of the Town. Such receptacles shall be kept at the rear of the building or premise adjacent to the alley so that the Collector shall have unobstructed and convenient access thereto.
- 20) Where any eligible premise is not served by an alley, the receptacles shall be placed for collection at a location as close as possible to the traveled portion of an adjacent highway but not on a sidewalk or in such a location as to interfere with pedestrian or vehicular traffic.
- 21) Where there is a retaining wall, steep slope or other obstruction between the lane from which the solid waste/organic materials is collected and the pick-up location, the refuse/organics receptacles shall be placed at a convenient height to enable the collector to obtain them from the lane level.
- 22) No person shall place their receptacle out for pickup prior to 5:00 p.m. on the evening before the collection day, and no later than 7:00 a.m. on the morning of, to ensure pickup.
- 23) Where receptacles are placed in the front or on the side of a property for collection of residential waste/organic materials, they must be removed from the front or side property on the same day that the collection has been made.

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- 24) No person shall allow residential waste or organic materials to spill over or accumulate on any alley, highway or adjoining public or private property. Every person will ensure that all residential waste and organic materials are kept within their receptacles at all times.
- 25) No person shall allow their receptacles to fall into disrepair or become noxious, offensive or dangerous to public health.
- 26) No person shall pick over, interfere with, disturb, remove, or scatter any residential waste or organic materials put out for collection or removal.
- 27) No person shall vandalize or willfully damage any residential waste or organic receptacle.
- 28) No person shall place out for collection, or mix with any other residential waste or organic materials, any of the following items:
- a) industrial waste, meaning any waste originating from an industrial site;
 - b) combustible or explosive or toxic material which, without limiting the generality of the foregoing, shall include fuels or lubricants, gun powder or bullets, dynamite, blasting caps, motion picture film or radioactive materials;
 - c) household hazardous waste or dangerous goods including solvents, oven cleaners, paints, automotive fluids, wet cell batteries, pesticides, herbicides, or any material commonly referred to as household, commercial or industrial hazardous waste;
 - d) hypodermic needles, sharp objects or broken glass unless packaged in closed, secure, safety containers;
 - e) pathogenic and biomedical waste;
 - f) luminescent gas-filled light tubes, unless such lights are pre-broken or encased in a container of sufficient size and strength to protect such tubes from breakage during transit;
 - g) compressed propane or butane cylinders;
 - h) large or bulky items such as mattresses, box springs, furniture, major appliances, or auto and truck tires;
 - i) electronic equipment including televisions, computers, computer monitors, keyboards, and associated cables;
 - j) automotive parts including lead-acid batteries, scrap metal, oil filters, empty oil containers, tires and automotive bodies;
 - k) construction or renovation materials, stumps, concrete blocks or slabs;
 - l) hot ashes or other burning matter;
 - m) liquid wastes or sludge;
 - o) animal waste including dead animals, carcasses, offal, manure, kennel waste, animal parts or excreta, unless the animal excreta is packaged

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in a securely tied container before placing the waste in a receptacle; other than small deceased animals and/or animal waste disposed of in the organic materials receptacle;

- p) commercial waste, meaning any waste originating from a place of business;
 - q) any other waste deemed to be prohibited from collection by the Collector, C.A.O. or Enforcement Officer.
- 29) No person shall mix any waste products in the organic receptacle that are not considered organic materials.
- 30) All persons shall permit authorized Collectors to enter their property and premises at all reasonable times for the purpose of carrying out their duties.

PART V - ENFORCEMENT

- 31) The C.A.O. of the Town or an Enforcement Officer may, at their discretion, issue a letter or notice to anyone who is in contravention of any section of this Bylaw directing the said person to take any action required so as not to be in breach of the section. The notice or letter may provide a time frame for the person to complete the action.
- 32) Any person who does not comply with a notice or letter is subject to a penalty pursuant to a fine amount as listed in Schedule "A".
- 33) An Enforcement Officer is hereby authorized and empowered to issue a violation ticket to any person who the Enforcement Officer believes on reasonable and probable grounds has contravened any section of this Bylaw.
- 34) Any person to whom a violation ticket has been issued may make the voluntary payment, if one is offered, by delivering the violation ticket as per instructions on the violation ticket along with an amount equal to that specified for the offence as set out in this Bylaw.
- 35) Notwithstanding the provisions of this Bylaw, any person who has been issued a violation ticket pursuant to any section of this Bylaw may exercise his/her right to defend any charge of committing a contravention of any provision of this Bylaw.
- 36) A person issued a violation ticket for an offence shall be deemed sufficiently and properly served:
- a) if served personally on the accused person; or
 - b) if mailed by registered mail to the address of the person who has contravened this Bylaw.

PART VI - SEVERABILITY

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

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PART VII - REPEAL

Bylaws No. 2012/02 is hereby repealed.

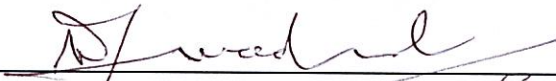
PART VIII - EFFECTIVE DATE

AND FURTHER THAT this bylaw shall take effect on the date of third and final reading.

Read a first time in Council this 22nd day of May, 2019.

Read a second time in Council this 22nd day of May, 2019

Read a third time in Council and passed this 22nd day of May, 2019.



MAYOR

CHIEF ADMINISTRATIVE OFFICER

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SCHEDULE A - VIOLATIONS AND PENALTIES

Any person who commits a breach of any of the provisions of this bylaw shall be liable to a penalty of \$200.00 (Two-hundred dollars).

A person who commits a second or subsequent offence within a period of one (1) year may be subject to a fine that is double the amounts above.