

# THE CITY OF MELFORT

## Office Consolidation

### THE WASTE COLLECTION AND DISPOSAL BYLAW

NO. 2011-17

Including Amendments to April, 2017

All persons making use of this consolidation are reminded that it has no legal status and that the amendments have been embodied for convenience of reference only. A certified copy of the Bylaw and amendments should be consulted for all purposes of interpreting and applying the law.

## **AMENDMENTS TO THE WASTE COLLECTION AND DISPOSAL BYLAW 2011-17**

### **AMENDMENTS**

### **DATE PASSED**

Bylaw 2011-26: Amend Schedules 'A' and 'B'	November 14, 2011
Bylaw 2013-24: Amend Schedule 'A'	December 20, 2013
Bylaw 2014-14: Amend Schedule 'A'	July 14, 2014
Bylaw 2015-04: Amend Schedule 'A' and 'B'	February 9, 2015
Bylaw 2016-08: Amend Section 13 – Penalties and Schedule 'A'	March 14, 2016
Bylaw 2016-17: Amend Schedule 'A'	July 11, 2016
Bylaw 2017-06: Amend Schedule 'A'	April 10, 2017

# CITY OF MELFORT

## BYLAW NO. 2011-17

### A BYLAW OF THE CITY OF MELFORT TO PROVIDE FOR A SCAVENGING SYSTEM FOR THE PROPER COLLECTION AND DISPOSAL OF WASTE WITHIN THE CITY, AND TO ESTABLISH AND REGULATE A WASTE DISPOSAL SITE

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The Council of the City of Melfort, in the Province of Saskatchewan, hereby enacts as follows:

1. This Bylaw may be cited as “The Waste Collection and Disposal Bylaw”.

#### **INTERPRETATION AND APPLICATION**

2. In this Bylaw, unless the context otherwise requires:
  - (a) “Apartment” shall mean an area or suite in an apartment block that is meant to be occupied by one family.
  - (b) “Apartment block” shall mean a building which is occupied or intended to be occupied by five or more families living independently of one another upon the same premises and includes, but is not limited to:
    - (i) condominiums of five or more dwelling units which share common hallways,
    - (ii) condominium units which are contained on a single parcel of land and house five or more families living independently of one another.
  - (c) “Building Waste” means all waste produced in the process of constructing, altering or repairing a building, including earth, vegetation and rock displaced during the process of building;
  - (d) “City” means the corporation of the City of Melfort or the area contained within the boundaries thereof as the context requires;
  - (e) “Collector” means a person who collects waste within the City for and on behalf of the City;
  - (f) “Commercial Premises” means premises principally used for the conduct of some profession, business or undertaking and includes for the purposes of this Bylaw any building or premises which is not a dwelling unit or the premises connected therewith, and which is not industrial premises;
  - (g) “Director” means the Director of Works & Utilities in charge of waste management for the City, and shall include any person delegated by the Director of Works & Utilities.

- (h) “Dwelling Unit” means a building of one or more habitable rooms constituting a self-contained independent unit and occupied or intended to be occupied as a permanent home or residence of one family;
- (i) “Garbage” means putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food;
- (j) “Industrial Premises” means a building or premises in which any manufacturing, processing, producing or repairing of goods is carried on;
- (k) “Liquid Wastes” means any waste which contains animal, mineral or vegetable matter in solution or suspension;
- (l) “Multi-Family Dwelling” shall mean a dwelling unit having separate access and egress directly to the outside or to a hallway leading to the outside consisting of four or less self-contained suites or apartments having sleeping, cooking and bathroom facilities.
- (m) “Multi-Unit Dwelling” shall mean a dwelling unit consisting of five or more self-contained suites or apartments having sleeping, cooking and bathroom facilities.
- (n) “Multi-Use Commercial Premises” shall mean a premises as described in Section 2(f), but also containing family dwelling units as described in Section 2(h) or more than one commercial enterprise on a single parcel of land.
- (o) “Person” includes a corporation and the heirs, executors, administrators or other legal representatives of a person;
- (p) “Premises” means a building containing a dwelling unit or number of dwelling units, or place of business or combination thereof, on a separately assessed parcel of land;
- (q) “Putrescible” means capable of becoming putrid;
- (r) “Refuse” means all putrescible and non-putrescible wastes (except human excrement) including garbage, rubbish, street cleanings, dead animals, yard clippings and market and industrial waste that does not include liquid wastes;
- (s) “Rubbish” means non-putrescible wastes, consisting of both combustible and non-combustible wastes, such as paper, cardboard, abandoned automobiles, tin cans, wood, glass, bedding, crockery and comparable minerals;
- (t) “Solid Wastes” means refuse, rubbish and other discarded solid materials, including waste materials resulting from domestic, industrial, commercial or agricultural activities;
- (u) “Street” means a public thoroughfare within the City and includes, where the context so allows, the sidewalk and borders of the street and all parts appearing in the land titles office as set aside for a public thoroughfare. When used in distinction to a lane, it means a public thoroughfare on which the premises in question front;
- (v) “Waste Disposal Site” means an area maintained by the City where the public may bring and deposit all permitted types of waste, including the City Landfill and the City compost collection area.

### **PROVISIONS FOR DISPOSAL OF WASTE**

3. (1) The City shall be responsible for the public collection and removal of residential solid waste within the limits of the City.
  - (a) The Council of the City may provide for the collection, removal and disposal of solid wastes within the limits of the City by contract with any person on any terms and conditions that the Council considers expedient.
- (2) The Director of Works & Utilities shall provide specifications and supervision for the operation of facilities and equipment necessary or desirable for the disposal of waste collected or disposed of within the City.
4. (1) The Director shall:
  - (a) supervise the collection, removal and disposal of waste within the City; and
  - (b) direct days and times that collections are to be made from different portions of the City; and
  - (c) decide as to the quantities and defined classes of wastes to be removed or collected from any premises or accepted by the City for disposal.
- (2) Subject to the provisions of this Bylaw, the decision of the Director as to the amount and type of waste that is accepted from any premises shall be final.
5. Front street waste collection shall be in force in all parts of the City and at such times as the Director may designate; unless the Director directs otherwise.

### **ACCUMULATION OF WASTE PROHIBITED**

6. (1) Except for waste which is placed:
  - (a) in receptacles required by this Bylaw;
  - (b) in a manner complying with the provisions of this Bylaw;
  - (c) in a location designated or allowed by this Bylaw:

No person who is the owner or occupant of any land or building shall allow waste of any kind to accumulate upon any land or about any building.
- (2) Notwithstanding anything in subsection (1) or elsewhere in this Bylaw, no person shall dispose of waste or allow waste to accumulate in any manner which contravenes the provisions of the Public Health Act, the Regulations made thereunder, or a Bylaw of the City relating to health, sanitation or nuisances.

### **DEPOSITING WASTE ON PRIVATE PROPERTY**

7. (1) Subject to the provisions of Section 6., no person who has waste of any description requiring disposal shall dispose of it other than at the waste disposal site.
- (2) A person who has disposed of waste on any land contrary to the provisions of

Subsection (1), shall remove the said waste upon being required to do so by the owner or occupant of the land or by the Director, the Medical Health Officer, Public Health Officers, or a Police Officer, but such removal shall not prevent him from being prosecuted for a contravention of Subsection (1).

- (3) If the person who has placed waste on land contrary to the provisions of subsection (1), cannot be ascertained, the owner or occupants of the land shall remove the waste or cause the waste to be removed from the land upon being directed to do so by the Director, the Medical Health Officer, Public Health Inspector, or a Police Officer.

### **INCINERATION**

8. (1) Any institution desiring to burn waste, shall burn such waste in an incinerator, which has been built in accordance with plans approved by the Air Pollution Control Branch of the Department of the Environment of the Province of Saskatchewan.
- (2) No institution shall build, locate, use or operate an incinerator without the prior written consent of the Director.
- (3) No person shall set, feed or maintain, or cause to be set, fed or maintained, within the limits of the City of Melfort an open fire for the disposal of any materials.

### **WASTE FOR PUBLIC COLLECTION**

9. (1) Each residential premises will be provided one 95-gallon cart by the City at no charge. The owner or occupant of a residential premises is responsible for the cart and a replacement fee, detailed on Schedule "B" will be charged to their utility bill for carts replaced due to damage, neglect, vandalism, loss or theft. Regular cart maintenance issues are the responsibility of the Collector.
- (2) Except as otherwise provided in this Bylaw, no person shall place waste from a premises elsewhere than in receptacles that comply with the requirements of this Bylaw, in particular the receptacles as set out in 9(1).
- (3) A person requesting additional residential receptacles must contract directly with the Collector.
- (4) The collection, removal and disposal of wastes in the City of Melfort, subject to such modifications as may be deemed necessary by the Director; shall be:
  - (a) on a weekly basis in all residential zones.
  - (b) on a weekly basis for all residential dwelling units located in commercial or industrial zones;
  - (c) at the Director's discretion for all premises not included in immediately preceding subsections (a) and (b).
- (5) A person undertaking the removal and disposal of waste generated from their own premises shall do so at least weekly.
- (6) The following premises or sites shall not have waste collected by the "City", but shall maintain collection and disposal services in accordance with this bylaw:

- (a) Any site or buildings owned by the Kelsey Trail Health Region.
  - (b) Public Housing sites or buildings excluding the 18 “Dwelling Units” commonly referred to as Wesley Place.
  - (c) Any site or buildings owned by the North East School Division, excluding school division offices.
  - (d) Buildings owned or occupied by the Provincial or Federal Governments.
  - (e) All commercial and industrial premises.
10. (1) Wherever a commercial container is used, it must be placed on firm level ground and be accessible for collection and disposal by the Containerized Waste Collection Contractor.
- (2) A commercial container shall not be used unless it is a type approved by the Director as to size, quality and shape.
- (3) If the owner or occupant of a premises places waste in a storage enclosure of a type that has not been approved by the Director, the collectors are entitled to not collect the waste from such enclosures.

**FILLING OF WASTE RECEPTACLES**

12. (1) No person shall fill a residential waste receptacle with material of such weight that the combined weight of the receptacle and it’s contents exceed 90.9 kgs or 200 lbs.
- (2) A collector shall not be required to remove any waste receptacle which, together with its contents, exceeds 90.9 kgs or 200 lbs. in weight.

**PLACING OF WASTE RECEPTACLES**

13. (1) Except as otherwise herein provided, no person shall place or keep waste receptacles or commercial containers upon any portion of the street or lane.
- (2) The owner or occupant of the premises shall place all receptacles out for collection by 7:00 A.M. on the morning of the collection day, and return them to their usual storage place on the day of collection.
14. The owner or occupant of a premises from which waste is to be collected:
- (a) shall place the cart with wheels against, or as close as possible, to the curb, or in front of a snow bank. Carts must not be placed on the sidewalk or on a snow bank.
  - (b) Carts must be placed a minimum of 3 feet from a parked vehicle.
  - (c) Other than on collection day, carts shall not be stored on City property.

**PREPARATION OF WASTE FOR COLLECTION**

15. (1) An owner or occupant of a premises from which garbage is to be collected shall:
- (a) thoroughly drain all household garbage and wrap it in paper and securely tie the parcel or place the garbage in a securely tied plastic bag before depositing it in a

waste receptacle;

- (b) securely tie discarded clothing and fabrics, newspaper, waste and magazines and inoffensive dry refuse in bundles or bags, before depositing it in the waste receptacle;
  - (c) wrap clippings from lawns, shrubs and trees in bundles or boxes or plastic bags and place them in the waste receptacle;
  - (d) twigs or branches must be cut to a length to properly fit in the cart with the lid closed;
  - (e) all waste must be contained inside the cart, with the lid properly closed.
- (2) No person shall place any explosive or highly inflammable waste in any receptacle for collection.
  - (3) No person shall place for collection a bundle, package or other material beside a waste receptacle.
16. No person, other than the owner, a person permitted by the owner, or a waste collector of the City, shall interfere with a waste receptacle or with any waste placed for collection in a waste receptacle.

#### **CITY COLLECTION AND REMOVAL OF WASTE**

17. The City of Melfort shall not provide collection for any of the following or similar items:
- A. From a residential premises:
    - (a) discarded furniture, discarded automobile parts, including tires, and other private vehicles and household equipment.
    - (b) tree limbs, whole shrubs or bushes, portions of hedges, with the exception of twigs or branches detailed above in Section 15 (1)(f);
    - (c) fences, gates and other permanent and semi-permanent fixtures on the premises;
    - (d) any discarded household chattel, material or equipment with an overall weight of more than 90.9 kgs or 200 lbs. of which is improperly prepared for collection;
    - (e) building materials and building wastes;
    - (f) dead animals;
    - (f) hazardous waste;
    - (g) dirt, rocks, cement, bricks, batteries and tires



## **RESPONSIBILITY AND ARRANGEMENT FOR REMOVAL OF OTHER WASTE**

18. (1) A person carrying out the construction or alteration of any building or structure shall:
  - (a) be responsible for the disposal of all refuse resulting from the construction or alteration;
  - (b) place all refuse and litter into a suitable container or enclosure so as to prevent it from blowing around;
  - (c) on completion of the construction or alteration, to clear the grounds on which the construction or alteration was made.
- (2) A person using a trailer, truck or other vehicle for construction or excavation operations shall remove from the streets all earth and waste which may drop from any vehicle.
19. (1) The Director shall decide what heavy equipment, building waste, trade waste, and other waste not covered by this Bylaw shall be removed by the City, and subject to the other provisions of this Bylaw, his decision shall be final.
- (2) The owner or person in charge of any animal that dies on a street, shall be responsible for having the carcass removed to the place designated by the Director.
- (3) The owner or person in possession of any animal carcass may make private arrangements with the Director for the collection and disposal of the carcass, and shall pay for such removal and disposal. The applicable charges may be determined by the Director.
20. For the purposes of performing the duties assigned by this Bylaw, every collector appointed by the City may enter residential districts from which the City is required to remove waste no sooner than 7:00 o'clock in the morning.
21. The City shall own and have the right to dispose of:
  - (1) All waste collected by a City Collector from the premises in the City pursuant to the provisions of this Bylaw; and
  - (2) All waste delivered for disposal to the City's waste disposal site.

## **CONVEYANCE OF WASTE THROUGH THE CITY**

22. (1) No person shall operate any vehicle transporting waste along a road or any highway, street or lane in the City of Melfort unless the load is securely fastened or covered with a tarpaulin in such a manner that it shall be impossible for any part of the load on the said vehicle to escape.
- (2) (a) No person shall transport or cause to be transported in a vehicle on any highway, street or lane any garbage, offal from slaughter houses or butcher shops, swill or any waste of any offensive nature, unless the part of the vehicle containing the waste is:
  - (i) water tight;
  - (ii) constructed in such a manner that it is impossible for any part of the

- contents to escape;
  - (iii) covered so that flies cannot come in contact with the contents;
  - (iv) constructed in such a manner that offensive odours cannot escape.
- (b) No person shall allow any such vehicle to park on any street for more than thirty minutes, except in the case of an emergency, but in such case the vehicle shall not be allowed to park longer than is absolutely necessary.
- (3) No person shall park on a street or in a residential area, a vehicle used principally for the hauling of waste when the same is not being used for collection of waste.
- (4) No person shall leave any vehicle carrying a full or partial load of offensive waste, parked overnight on any street in the City.

### **WASTE ON CITY STREETS**

23. Except for sand or similar materials in reasonable quantities placed on icy or slippery streets or sidewalks, no person shall place waste of any type, or direct or allow it to be placed upon any portion of a street.

### **WASTE DISPOSAL SITE**

24. The City shall designate an area as a waste disposal site for the disposal of waste material.
25. (1) All waste, except hazardous wastes or materials, shall be delivered to the waste disposal site for disposal.
- (2) Every person delivering waste to the waste disposal site, shall comply with all posted regulations at such site.
26. Hazardous waste, as determined by the Director, not suitable for disposal at the waste disposal site shall not be accepted.
27. No person shall, without permission from the Director, remove any waste, object or material from the waste disposal site.
28. All garbage and sanitary refuse shall be deposited in the designated areas of the waste disposal site.
29. Manure, spoiled grain and other similar agricultural wastes, shall not be deposited at the waste disposal site, unless otherwise approved.
30. Petroleum wastes, slaughter house wastes and other comparable wastes, unless otherwise approved, shall not be deposited in the waste disposal site, but shall be disposed of in the manner prescribed by Provincial regulations.
31. Liquid waste shall be deposited only in the designated areas of the waste disposal site.
32. No appliance which contains ozone depleting substances shall be accepted unless it is certified as evacuated by a person or firm which is licensed to do so.
33. No appliance shall be accepted with the door attached where, in the opinion of the operator, it could be a danger to the public.

34. No person shall set a fire in the waste disposal site without written permission from the Director.
35. The Council may from time to time impose fees to be charged against persons bringing waste materials to the waste disposal site for deposit, and may prescribe those classes of waste for which no charge will be made. Any person bringing waste materials to the waste disposal site for deposit shall pay the fee set out on Schedule "A".

### **HEALTH AND FIRE BYLAWS NOT SUPERCEDED**

36. Nothing in this Bylaw shall be deemed to nullify, amend, supersede or repeal any provisions of any Bylaw or regulation relating to fires or to public health, but in the event of any conflict between such bylaws and this Bylaw, the provisions of this Bylaw shall be modified only to the extent necessary to give effect to the fire or health requirements as the case may be.

### **PROSECUTION OF OFFENDERS**

37. If the owner of the premises from which waste is to be removed, refuses or neglects to do anything required to be done by him hereunder, the same may be done by the City at the expense of the person in default, and, where the charges or the expenses of the City remain unpaid on the 31<sup>st</sup> day of December of the year in which the sums become payable, the sum or part thereof that remains unpaid, shall be added to and form part of the taxes on the land in respect of which the collection, removal or disposal was done.
38. Wherever an owner or occupant fails to comply with a directive issued under this Bylaw, the owner or occupant of the premises, or both of them, shall be liable to prosecution.
39. Waste collection fees will be included and form part of the Water & Sewer Utility bill. Failure to pay the waste collection portion of the utility bill will result in a discontinuation of water service.
40. Any fees or charges remaining unpaid by the 31<sup>st</sup> of December of the year the sum became payable shall be added to and form part of the taxes on the land in respect of which the collection, removal and disposal was done.
41. A person contravening any provision of this Bylaw and a person responsible for such contravention, is guilty of an offence, and is liable upon summary conviction to a minimum fine as laid out in the General Penalty & Enforcement Bylaw. A conviction for a contravention of any provision of this Bylaw does not relieve the person convicted from complying with this Bylaw, and the convicting judge or justice may, in addition to the fine imposed, order the person to do any act or work, within a specific time, to comply with the Bylaw.
  - (a) Every person who contravenes any provision of Section 13 is guilty of an offence and subject to the following penalties:
    - i) the penalty for a 1st offence for violating this section shall be \$25.00.
    - ii) the penalty for a 2nd and subsequent offence shall be \$50.00.
  - (b) Every person who contravenes any provision of Section 22 is guilty of an offence and subject to a penalty of \$50.00 per offence.
  - (c) In addition to the above penalties, equipment charges, labour charges, landfill fees and applicable administrative fees will be applied when City and/or contractor equipment is required to remedy the contravention on behalf of the property owner.

**REPEAL OF EXISTING BYLAW**

42. That Bylaw Nos. 2008-04, 2009-03, 2010-02, 2011-05, 2013-24 are hereby repealed.

43. This Bylaw shall come into force and take effect on October 1, 2011.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**INTRODUCED AND READ** a first time this 12<sup>th</sup> day of September, 2011.

**READ A SECOND TIME** this 12<sup>th</sup> day of September, 2011.

**READ A THIRD TIME** and passed this 12<sup>th</sup> day of September, 2011.

**SEAL**

CERTIFIED A TRUE COPY of Bylaw No. 2011-17,  
adopted by Resolution of Council on the 12<sup>th</sup> day of  
September, 2011.

\_\_\_\_\_  
City Clerk

**Schedule “A”  
TO BYLAW NO. 2011-17  
Landfill Fees Effective May 1, 2017**

**WASTE DISPOSAL FEES**

Fees applicable to all collection haulers of commercial and industrial wastes as well as private residents

**Domestic Garbage/Dry Waste/(White) Metals/Paper and Cardboard**

**Resident of Melfort:**

Minimum Charge                    \$8.00 for first 100 kg (220 lbs.)  
Plus over 100 kg @ \$25.00/1000 kg (2200 lbs.)

**Non-Resident of Melfort:**

Minimum Charge                    \$12.00 for first 100 kg (220 lbs.)  
Plus over 100 kg @ \$60.00/1000 kg (2200 lbs.)

Refrigerators, air conditioners, freezers, chillers, vending machines, water coolers and dehumidifiers *will not be accepted* at the City of Melfort landfill without a dealer's tag to confirm the absence of refrigerant and mercury.

**Tires**

1. Passenger Vehicle Tires – \$8.00 plus \$100.00/tonne
2. Medium Truck Tires (600 mm) 21” – 30” Rim - \$10.00 plus \$100.00/tonne
3. Large Agricultural Tires – 24” – 54” Rim - \$20.00 plus \$100.00/tonne

**Animals**

Large (Livestock)    \$25.00/tonne plus \$85.00  
Small                    \$17.00/tonne plus \$27.00

**Contaminated Soil**

\$28.00/1000 kg  
For loads totalling over 2,000 tonnes, a volume discount will be applied at a rate of \$27.00/1000 kg

**Grain Cleanings**

\$36.00/tonne, with one weeks' notice to the City Foreman prior to disposal

**Grain Bags**

1. \$10.00 per bag for secure, mechanically-rolled and tied grain bags.
2. \$120.00 per bag, plus \$45.00/1000 kg (2200 lbs) over 100 kg for unsecure bags.

**Vac/Hydro Truck**

Mud/Water/Sludge    \$15.00 per truck load

**Waste Disposal Free Products**

Clean fill dirt or clay will be allowed at no cost.

**Schedule “B”  
TO BYLAW NO. 2011-17**

**Collection Fees Effective March 1, 2015**

**Flat Fee Chart  
WASTE COLLECTION UTILITY**

	<b><u>Fee</u></b>	<b><u>\$ on Utility Bill</u></b>
Dwelling Unit (Single Family Dwelling)	\$10.50/month	\$21.00
Multi-Family Dwelling (4 units & under)	\$10.50/month/unit	According to number of units
95-gallon Cart Replacement Fee due to Damage, Vandalism, Neglect, Loss or Theft	\$50.00 per cart	Fee applied to utility bill