

**Town of Magrath
Bylaw 1163
Waste Management**

**A BYLAW OF THE TOWN OF MAGRATH, IN THE PROVINCE OF ALBERTA,
RESPECTING THE REGULATION AND MANAGEMENT OF WASTE AND REFUSE**

WHEREAS the Town Council has determined it is expedient to establish a Waste Management Bylaw for the Town of Magrath;

AND WHEREAS the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended, provides the Town Council with the authority to deal with the accumulation, transportation and disposal of waste;

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, R.S.A. 2000 c.M-26, as amended, Town Council for the Town of Magrath, duly assembled enacts as follows:

PART I - INTERPRETATION

1 This Bylaw may be referred to as the “Garbage Bylaw”.

PART 2 - APPLICATION

2 This Bylaw applies to all Waste produced, generated, located or transported within the boundaries of the Town.

PART 3 - DEFINITIONS

3 Unless the context otherwise indicates, the following terms have the following definitions for the purpose of this Bylaw:

“Bylaw Enforcement Officer” means a Person appointed by the Town pursuant to Section 555 of the Municipal Government Act;

“Disposal Site” means any location designated by the Town for the disposal of Waste or any other location approved by Alberta Environment for the disposal of Waste;

“Garbage” has the same meaning as “Waste”;

“Garbage Receptacle” shall mean a container designed to hold refuse receptacles;

“Refuse Receptacle” shall mean tied plastic garbage bags in which refuse is to be deposited or placed;

“Town” means the municipal corporation of the Town of Magrath, or the geographical area of the Town, as applicable;

“Waste” means any discarded refuse including, but not limited to, such items as dry waste, food waste, and construction waste generated by any residential, commercial or industrial property but shall not include cardboard, larger objects, such as automobile bodies, trees, etc. nor shall it include manure or dead animals; except small animals which are bagged

PART 4- RESTRICTED AND PROHIBITED WASTE

- 4 Any Person who breaches any of the sections in this Part of the Bylaw shall be responsible for all costs incurred in eliminating any pollution or contamination of the Disposal Site or any other property in the Town and shall make payment of same to the Town on demand for same. Payment of such costs or payments will not exempt the Person from prosecution for contravention of this Bylaw.

PART 5 – GARBAGE RECEPTACLES

- 5 a. The occupant of any residence in the Town from which waste is to be collected shall:
- (i) Have all refuse placed in garbage bags or bundled and securely tied.
 - (ii) Place said refuse receptacle at a time and in a manner so as not to be accessible to domestic animals. An occupant may place refuse receptacles in a garbage receptacle so as to protect said refuse from the wind or domestic animals.
 - (iii) Ensure that each refuse receptacle does not exceed forty (40) pounds, with a maximum of five bags
- b. In commercial areas (or at other business/commercial/multi-family areas) bins may be provided by the Town for use by the business. Business occupants shall use the commercial bins provided in the manner prescribed, namely as indicated in 5.a(i) with the exception of products not susceptible to be windblown may be placed in bins without using the refuse receptacle. No person shall dispose of cardboard in the regular refuse containers provided by the Town.
- c. Materials that may erode or otherwise alter the integrity of the bin shall not be placed in the receptacle provided by the Town. If the waste material disposed of by a business or individual has destroyed or otherwise altered the integrity of the bin, the business/individual shall pay the cost of repair or replacement as determined by the Chief Administrative Officer or his./her designate.

PART 6 – COLLECTION

- 6 a. No person, firm or corporation shall deposit, leave, dispose of or abandon any waste material within the corporate limits of the Town of Magrath, other than at the Transfer Station.

- b. The Town of Magrath by its agent, contractor, and/or employees may by means of a uniform system, go to the houses, businesses, churches, institutes, or whatever place may require the services, and pick up the garbage, and deposit it in a place as authorized.
- c. The owner of the garbage from the homes, businesses, churches, institutes, or from whatever source the garbage is created, shall place the garbage in the proper receptacles/bins which shall meet the approval of the officials of the Town.
- d. The Town of Magrath shall be empowered to request the owner and occupants of any lands, business, or place, to place its garbage at the time designated, in or on the place so designated for the pick-up; and the Town of Magrath, by its contractor/employees shall pick-up the garbage and deposit it at the authorized place of disposal, and the Town shall charge the owners and occupants of the land, at the rate set forth.
- e. Any occupant that wishes to opt out of garbage collection may do so if an alternate method of disposal is agreed between the occupant and the Town. However, all regular garbage rates shall be enforced.
- f. Restaurants must provide a system of grease removal as approved by the health department.

PART 7 – REFUSE COLLECTION TIMES

- 7 The Town shall cause waste to be collected:
 - a. From each dwelling house once each week.
 - b. When a waste pick-up day falls on a holiday, notice will be given as to when the pick-up day will be rescheduled.

PART 8 – TYPES OF REFUSE NOT COLLECTED

- 8 a. The town shall not remove the following from premises on which dwellings are located:
 - (i) discarded furniture, automobile parts, tires, and household appliances;
 - (ii) whole shrubs, bushes, hedges and general yard waste that would go to the burn or compost pile at the transfer station;
 - (iii) fences, gates, and other permanent and semi permanent fixtures on the premises
- b. The Town shall not collect from commercial, institutional or industrial premises:
 - (i) discarded heavy machinery
 - (ii) by-products of manufacturing
 - (iii) heavy or bulky wrapping, packaging or crating materials unless said items fit in commercial bins provided.

PART 9 – FEES

- 9 That fees for garbage collection are outlined in the Town of Magrath Fees & Rates Schedule as amended by Council from time to time.

PART 10 - GENERAL PROVISIONS

10

- a. No collector shall be required to collect a parcel that exceeds the measurements and weight limits as specified in this by-law.
- b. All accounts including interim accounts for garbage service shall be due and payable when rendered. A penalty of three percent (3%) shall be charged in the event that an account is not paid by the due date, as shown on the billing statement.
- c. In the case of default of payment, the Town of Magrath may enforce payment by action in a court of competent jurisdiction, or by distress seizure of goods, and chattels of the person liable for payment, or by making any such sums in default a charge against the property in respect of which the service for which the sums owing was provided, such charges to be subject to the same penalties and be collectible by the same procedures as other taxes levied by the Town.
- d. Any infraction to the waste management policy as outlined in Appendix B will be subject to penalties as outlined in Appendix A.
- e. (1) A notice of form commonly referred to as a By-Law Infraction Tag may be issued by a By-Law Enforcement Officer or any Peace Officer.

This notice shall require in lieu of prosecution the payment of a penalty as outlined in Appendix A to be made to the Treasurer of the Town within 14 days of the date of issue of the infraction tag.

(2) If the person upon whom the infraction tag is served fails to pay a voluntary payment with the time specified the Town shall proceed with the prosecution by way of summary conviction and a court summons shall be served.

(3) Any person who is guilty by way of summary conviction of an offence under the provisions of this By-Law shall be liable for a as outlined in Appendix A.

This Bylaw shall come into full force and effect on the date of its third and final reading.

READ a first time this 22nd day of November, 2011.

READ a second time this 13th day of December, 2011.

READ a third and finally passed this 13th day of December, 2011.



Russ Barnett
Mayor



Wade Alston
Chief Administrative Officer

Appendix "B"
WASTE MANAGEMENT POLICY
MOTION #

PURPOSE:

To delineate all of the details related to the collection and disposal of waste for businesses, commercial institutions and residents within the Town of Magrath.

POLICY STATEMENT:

The Town of Magrath Waste Management Policy will outline all of the requirements, rules and details for businesses, commercial institutions and residents to dispose of their waste through the Town's collection program and Transfer Station.

WASTE COLLECTION

PROCEDURE:

General Rules

In order to establish a standardised method of collecting waste the Town and Town businesses, commercial institutions, and residents shall adhere to the following regulations:

1. Waste includes:
 - a) Wet or dry offal refuse, animal and vegetable matter created from a domestic or commercial kitchens, stoves, or ovens.
 - b) Waste or trash created from domestic activities

2. Waste does not include:
 - a) Automobile bodies
 - b) Trees
 - c) Manure
 - d) Dead Animals
 - e) Waste or trash from lawn and gardens
 - f) Any larger object that does not fit into a common household refuse receptacle
 - g) Dangerous, toxic or hazardous waste
 - h) Concrete
 - i) Dirt
 - j) Cardboard

3. Every resident on their collection day shall place their refuse next to the road and ensure that there is nothing that would obstruct the pickup of the garbage.
4. If a residency is not in adherence to Section 3 the garbage will not be picked up on that day or any other day of the week and will only be picked up on the next scheduled collection day if it is in adherence to Section 3.
5. The Town of Magrath will collect waste weekly according to the following schedule :
 - Tuesday: All residential pickups in the area between the east side of 1st Street West (Main Street) to the most eastern Town boundary and all commercial, institution and large container pickups throughout the Town of Magrath that are scheduled for pickup two times per week.
 - Thursday: All residential pickups in the area between the west side of 1st Street West (Main Street) to the most western Town boundary.
 - Friday: All commercial, institution and large container pickups throughout the Town of Magrath.
6. If a scheduled pickup as outlined in Section 5 falls upon a statutory holiday notification of the waste collection schedule shall be advertised on the Town of Magrath website.

Transfer Station

The purpose of this section is to outline the hours of operation, explain what acceptable and non acceptable waste is and to set guidelines for the Magrath Transfer Station.

7. The Transfer Station shall have the following hours of operation: (changes with the change of Mountain Standard Time (MST) and Daylight Savings Time (DST)).

Summer Hours (DST)

Wednesday - Noon – 8:00 p.m.

Saturday - 10:00 a.m. – 6:00 p.m.

Winter Hours – (MST)

Wednesday - 10:00 a.m. – 6:00 p.m.

Saturday - 10:00 a.m. – 6:00 p.m.

PROCEDURE:

General Rules

8. Turn off vehicle while unloading in station.

9. Please ensure that all garbage is secured while transporting waste to the Transfer Station.
10. Litter on the way to the Transfer Station is not acceptable and will be subject to the fines and penalties as outlined in "Appendix A" of bylaw 1163 Waste Management.
11. Children are to remain in the vehicle while unloading.
12. Domestic Garbage only will be accepted.
13. Scavenging is not permitted unless authorized by the Town of Magrath.
14. Transfer Station Operator has the right to inspect any load. The Transfer Station Operator may refuse any waste that in the judgment of the Operator should be rejected by reason of unknown content that may be a hazard.
15. The following waste products must be placed inside the Magrath Transfer Station Shed
 - a) Domestic Garbage
 - b) Small Animals. Must be sealed in a plastic bag
 - c) Microwaves
 - d) Asphalt shingles, renovation and other construction materials (a limit of one half –tonne pickup truck once per day)
 - e) P.V.C pipe, vinyl siding. Must be broken into 4ft pieces and put inside on the side of the building.
 - f) Couches, mattresses, box springs, rolls of carpet, plastic sheeting such as silage cover. To be placed inside on the side of the building
16. The following waste products must be placed outside, as directed
 - a) White goods
 - (i) There will be a charge for each refrigeration unit disposed of. Payment is to be made at the Town office and a receipt must be presented to the operator before the refrigeration unit can be accepted.
 - (ii) All refrigerators and freezers should be lined up sitting upright with the back of the unit easily accessible to technicians.
 - b) Metal scraps. Must be no bigger than 6ft
 - c) Lumber. Must be no bigger than 6ft
 - d) Branches. Must be no bigger than 6ft
 - e) Grass and yard waste.
 - f) Tires mounted on rims will not be accepted, tires need to be sorted and stored in one pile
 - h) Ovens and Stoves
 - i) Scrap Metal
17. The following waste products will not be accepted at the Magrath Transfer Station
 - a) Liquid Wastes
 - b) Any commercial waste
 - c) Toxic or hazardous substances including flammable liquids
 - d) Car or truck bodies and parts
 - e) Paint

- f) E-Waste. E-Waste includes: Televisions, Computers, including hard drives, mice, keyboards and monitors.
18. Recyclable goods can be disposed of at the Magrath Recycle Centre. All recyclable goods must be correctly sorted and disposed of in the Magrath Recycling Trailer located within the Magrath Recycle Centre.

CONSTRUCTION SITE WASTE

19. Every owner and occupant, including the general contractor of a construction site shall ensure the following:
- a) There are sufficient waste receptacles to contain the construction waste
 - b) A construction site is maintained in a tidy manner and is free of any debris or construction waste
 - c) Construction waste does not remain loose, free or uncontrolled on the premises
 - d) Proper disposal of the construction waste at an appropriate disposal site
 - e) Any waste that escapes from the construction site is retrieved and deposited into a waste receptacle designated for the construction site
20. The Town may require the owner, occupant or general contractor to provide fencing that will prevent construction waste from escaping the construction site.

HAZARDOUS WASTE

21. Any person that produces or possesses any dangerous, toxic or hazardous waste shall remove, transport and dispose of such waste in accordance with applicable Provincial and Federal statutes and regulations.
22. No person shall dispose of dangerous, toxic or hazardous waste into any waste receptacle located on Town owned property.

ANIMAL CARCASSES

23. No person shall bring a dead horse, cow, pig, sheep, or other large animal into the Town for disposal.
- 24.
25. An owner of a dead cat, dog or other small animal shall dispose of the animal in a proper manner.

GENERAL RULES

26. No Person shall:
- a) Import waste of any kind into the Town for disposal
 - b) Transport waste within the Town unless it is securely covered in such a manner as to prevent the waste from falling out of the vehicle during transportation. If waste does

escape during transportation the owner or person driving the vehicle must clean up the waste immediately.

- c) Place waste of any type on a road or other public place.