

BYLAW 2627/S/19

BEING A BYLAW OF THE TOWN OF STONY PLAIN IN THE PROVINCE OF ALBERTA
FOR THE COLLECTION, REMOVAL AND DISPOSAL OF REFUSE

WHEREAS under the provisions of Section 7, *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto, the Council may pass a bylaw for municipal purposes;

AND WHEREAS in accordance with good financial management to cover the costs of providing Solid Waste Management, the Town of Stony Plain wishes to establish a fee structure for such services;

NOW THEREFORE the Council of the Town of Stony Plain, duly assembled, hereby enacts as follows:

PART 1: Interpretation

1.0.0 Title

1.1.0 This Bylaw may be referred to as the “Solid Waste Management Bylaw”.

2.0.0 Definitions

2.1.0 “Ashes” means the residue from any substance after combustion and includes partially burnt wood, charcoal or coal;

2.2.0 “Automated Collection” means the collection of organic or waste material disposed of through a Cart system designed to be emptied through mechanical means into a collection vehicle;

2.3.0 “Blue Bag” means a blue transparent plastic bag containing the following recyclable items and any other similar materials as the Town Manager from time to time deems acceptable for Collection Services. All must be clean, and no plastic lids are to be included.

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|---|--------------|
| Milk jugs/cartons | Office paper |
| Aluminum, Tin food cans – pie plates and containers | Cereal boxes |
| Corrugated cardboard | Pasta boxes |
| Refundable beverage containers | |
| Hard plastics containers, tubs and bottles. No lids or caps | |

Catalogues, phone books, newspaper, magazines

2.4.0 “Cart” means a wheeled receptacle that

- 2.4.1 Is allocated by the Town and/or Collector;
- 2.4.2 Is intended for Automated Collection of Organics and Refuse, excluding recyclables;

2.5.0 “Collector” means a Person authorized by the Town to collect, remove and dispose of Refuse;

2.6.0 “Collection Day” means the day or days designated by the Town Manager for Refuse Collection for any particular Residential Premise;

2.7.0 “Collection Services” means Residential and Institutional Refuse Collection and Disposal as detailed in this Bylaw and rendered by the Town or a Collector pursuant to the Town’s Residential and Institutional Solid Waste Program;

2.8.0 “Compostable Bag” means a transparent bag made of organic materials that will decompose through the composting process. A compostable Bag shall be filled only with Organics;

2.9.0 “Commercial Facilities” means establishments considered to be commercial, industrial and institutional facilities;

2.10.0 “Dwelling” means one or more habitable rooms designed, occupied or intended for use by

one or more persons as an independent and separate housekeeping establishment in which a kitchen, sleeping and sanitary facilities are provided for the exclusive use of such persons;

- 2.11.0 “Electronic Waste or E-Waste” means items such as computers, telephone, VCRs, televisions, fax machines, keyboards, CD or DVD players which are to deposited at the Recycling Centre and are not eligible for collection on collection day;
- 2.12.0 “Dwelling, Apartment Building” means a building consisting of four or more dwelling units in which the dwellings are arranged in any horizontal or vertical configuration and have access from a common interior corridor;
- 2.13.0 “Health Inspector” means a Health Inspector for the Capital Health Authority Health Unit or a Health Inspector appointed by the Town;
- 2.14.0 “Institutional Facilities” means publically or privately owned institutions or community services as designated by the Town Manager
- 2.15.0 “Organics” means those items as listed in the following and any other similar materials as the Town Manager from time to time deems acceptable for Collection Services:

Vegetable & fruit waste	Wet or soiled cardboard or paper
Food Meats, bones, fat trimming	Shredded paper
Cooking oil or grease	Grass clippings
Dairy or egg waste	Leaves
Grains, nuts, flour	Weeds
Soup stock	Garden foliage
Coffee grinds	Brush or prunings

- 2.16.0 “Peace Officer” means a Person employed for the purposes of preserving and maintaining the public peace and includes:
 - 2.16.1 Community Peace Officer of the Town of Stony Plain
 - 2.16.2 Member of the Royal Canadian Mounted police or a Special constable;
- 2.17.0 “Person” includes any individual, corporation, society, association, partnership or firm;
- 2.18.0 “Recyclable Materials” means all solid waste and designated solid waste materials that are lawfully capable of being recycled;
- 2.19.0 “Recycling Station” means a facility where recyclables are collected;
- 2.20.0 “Refuse” means materials and substances normally considered to be household waste, and any other similar materials as the Town Manager from time to time deems to be acceptable, including:

Organics
 Recyclable materials
 Broken dishes, rags, cast-off clothing, waste paper, food containers
 Non-recyclable tins, glass and plastic
 Hypodermic needles packaged to allow safe handling without special equipment or clothing
 Luminescent gas filled tubes that are pre-broken or encased in a container of sufficient size and strength to protect from breakage and allow safe handling without special equipment or handling; and
 Other sharp objects or broken glass packaged to allow safe handling without special equipment or clothing

But not including:

Manure
 Tree stumps, roots, turf, and earth
 Furniture and major household appliances
 Discarded auto parts
 Such waste matter as may accumulate as a result of building construction, renovation, or repair
 Any substance that may be considered dangerous or hazardous under the provisions of any applicable legislation; and

Any highly combustible or explosive waste, including, but without limiting the generality thereof, such materials as powder, dynamite, motion picture film, hot ashes, or toxic materials

- 2.21.0 "Service Charge" means a Collection Service charge set out in the Fees and Charges Bylaw;
- 2.22.0 "Service User" means the utility service account holder;
- 2.23.0 "Senior Citizen Complex" means any complex as shown in the Fees and Charges Bylaw.
- 2.24.0 "Sidewalk" means that part of a public road right of way especially adapted to the use of or ordinarily used by pedestrians and non-motorized vehicles and includes trails owned by the Town;
- 2.25.0 "Solid Waste" means Refuse and matter or materials suitable for disposal by sanitary landfilling such as Trade Refuse,
- 2.26.0 "Street" means the portion of any public road right of way, including a lane, normally intended for vehicle passage;
- 2.27.0 "Town" means the municipal corporation of the Town of Stony Plain or, where the context so requires, the area contained within the boundaries of the Town;
- 2.28.0 "Town Manager" means the Town's chief administrative officer;
- 2.29.0 "Trade Refuse" is refuse from Commercial Facilities
- 2.30.0 "Waste" means Refuse other than Organics

PART 2: Application

3.0.0 General

- 3.1.0 No Person shall collect, dispose of, or otherwise manage Residential Solid Waste in the Town except in accordance with the provisions of this Bylaw.
- 3.2.0 Except as permitted under this Bylaw or by the Town Manager, no Person shall:
 - 3.2.1 Dispose of Solid Waste on any Town property except at designated Transfer Stations;
 - 3.2.2 Dispose of Refuse on any Town property except at designated Recycling Stations;
 - 3.2.3 Put out for Collection Services any Solid Waste other than Refuse; or
 - 3.2.4 Dispose of Non-Refuse Solid Waste except at a regulated commercial landfill site and at the Person's sole expense.
- 3.3.0 Collection Services shall be rendered with respect to:
 - 3.3.1 All Dwellings that consist of less than four units; and
 - 3.3.2 At the sole discretion of the Town Manager, a Multiple Dwelling Development provided in part that:
 - 3.3.2.1 Each Dwelling unit therein is connected to a separate water meter; and
 - 3.3.2.2 The development configuration and street design reasonably accommodate Automated truck access and curbside Refuse and Organics removal in front of each dwelling unit.
 - 3.3.3 At the sole discretion of the Town Manager, an Institutional Development provided in part that:
 - 3.3.3.1 The development is connected to a separate water meter; and
 - 3.3.3.2 The development configuration and street design reasonably accommodate Automated truck access and curbside Refuse and Organics removal.
- 3.4.0 The Town shall at any time and from time to time enter into a contract or contracts with any person, firm or corporation for the collection, removal and disposal of any part of the Solid

Waste accumulated with the Town and may provide for the collection, removal and disposal of Solid Waste by the use of equipment and employees of the Town.

3.5.0 The Collector shall not be responsible for the collection and removal of any of the following types of Solid Waste except under a separate agreement with the Owner or Occupant and upon payment of such charges as may be set out in that agreement:

3.5.1 Trade Refuse from the construction, repair, decorating, clearing or grading of a building or premise;

3.5.2 Scrap metal including car bodies, chassis, machinery or parts of garage waste;

3.5.3 Any other waste such as manure; tree stumps, roots, turf, and earth; furniture and major household appliances; discarded auto parts; any substance that may be considered dangerous or hazardous under the provisions of any applicable legislation; and any highly combustible or explosive waste, including, but without limiting the generality thereof, such materials as powder, dynamite, motion picture film, hot ashes, or toxic materials.

3.6.0 No person shall deposit any dead animal, manure, excrement, refuse, liquid waste or other filth upon or into any street, service lane, alley, highway, ditch, well, lake, pond, river, stream or water course or onto any land except with the written consent of the Health Inspector.

3.7.0 The Town may require the removal of any accumulation of the types of Solid Waste in Section 3.4.0 or any accumulation of dirt, stones, old implements or automobiles, iron or other rubbish from streets, service lanes, alleys, lands, or other private or public property within the Town by serving upon the Owner or Occupant or other person responsible for the deposit of same written notice outlining the removal requirements.

3.8.0 No person shall operate within the Town a vehicle transporting Solid Waste unless the waste is completely enclosed or securely covered or secured to prevent any portion of the waste from falling off or out of the vehicle while in transit.

4.0.0 Use of Carts and Bags

4.1.0 Except as permitted by the Town Manager, no Person may put out Refuse for collection services unless it is contained in a Cart assigned to the Residence or in a Blue Bag.

4.2.0 Carts and Blue Bags shall be filled such that Refuse is fully contained within each receptacle.

4.3.0 Lids on Carts must remain completely closed once placed for Automated Collection.

4.4.0 Carts at all times shall be kept in good repair, clean and accessible for inspection upon request by the Town.

4.5.0 The Service User is responsible for lost or stolen or broken carts due to improper use

4.6.0 No Person shall place anything other than Recyclables in Blue Bags.

4.7.0 No Person shall place anything other than Organics in Organics Carts, and hot Ashes shall not be placed in Carts at any time.

4.8.0 No Person who uses bags within an Organics Cart to contain disposed Organics shall use anything other than Compostable Bags.

4.9.0 Carts shall be filled in such fashion that Automated Collection trucks are able to empty the material from the Carts using standard operating procedures.

4.10.0 No Cart shall be more than 68 kilos.

5.0.0 Placement, Collection and Storage

5.1.0 For collection purposes a Cart must be placed no less than 1 meter from any obstruction, including other Carts or Blue Bags.

5.2.0 Service Users may place any number of Blue Bags out for collection on Collection Day.

5.3.0 Except during a temporary front yard pick up period order by the Town, where a lane exists

at the rear of any Dwelling, Carts and Blue Bags should be placed for collection within a one meter setback from the lane.

- 5.4.0 Where no lane exists at the rear of any Dwelling, or where other special conditions exist such as unimproved lanes, steep grades or any condition that makes collection impractical or hazardous, Carts and Blue Bags shall be placed as follows during Collection days:
 - 5.4.1 Street with Boulevard – Carts and Blue Bags shall be on the boulevard and shall be as close as possible to the traveled portion of an adjacent street, but not on a sidewalk or in such a location as to interfere in any way with vehicular or pedestrian traffic.
 - 5.4.2 Street without Boulevard – Carts shall be placed on the street with cart wheels backing into the curb. Blue bags shall be placed on the edge of the property line, but not on a sidewalk or in such a location as to interfere in any way with vehicular or pedestrian traffic.
- 5.5.0 During Collection days, Carts will be placed on the street with no less than one meter of clearance on all sides of the carts and with cart wheels backing into the curb. Blue bags will be placed on the edge of the property line but not on a sidewalk or in such a location as to interfere in any way with vehicular or pedestrian traffic will be permitted to be placed on streets adjacent to the curb or boulevard, but clearly off the traveled portion of the roadway.
- 5.6.0 Carts and Blue Bags placed for collection may be moved back from the front curb line only to accommodate planned snow removal or road maintenance.
- 5.7.0 The Collector shall have the right to enter at all convenient times such portions of all premises as may be required for the purpose of performing collection, removal and disposal duties.
- 5.8.0 No Person other than the applicable Service User shall interfere with or disturb the contents of any Cart or Blue Bag after it has been placed for collection.
- 5.9.0 When not in use, Carts must be stored at the address being serviced.

6.0.0 Time of Collection

- 6.1.0 The Town Manager shall schedule all Collection Services.
- 6.2.0 Carts and Blue Bags may be set out for collection no earlier than 12 hours before the scheduled Collection Day.
- 6.3.0 Carts and Blue Bags must be set out by 7:00 a.m.
- 6.4.0 Carts shall be returned to their regular storage location within 24 hours of being emptied on Collection Day.
- 6.5.0 A Service User is subject to a Service Charge if the Collector is required to make an unscheduled Collection

7.0.0 Subscriptions

- 7.1.0 A Service User shall subscribe to Collection Services prior to allowing occupancy of the residence.
- 7.2.0 With respect to any lost or damaged Carts, the Town may charge a fee to a Service User in accordance with the Fees and Charges Bylaw.
- 7.3.0 Upon request, the Town may allocate an additional Organics Cart to a Residence if the lot size is greater than .2 hectares (.5 acres). This Cart is subject to an additional fee as set out in the Fees and Charges
- 7.4.0 Bylaw. Upon request, the Town may allocate an additional Organics Cart to a Residence if there is an approved secondary suite. This Cart is subject to an additional fee as set out in the Fees and Charges Bylaw.

8.0.0 Service Charges

- 8.1.0 Service Users shall pay Service Charges as set out in the Fees and Charges Bylaw.
- 8.2.0 Service Charges shall be added to Service User's utility bills and are due and payable on the date indicated on the utility bill as the "due date".

9.0.0 Collection Services

- 9.1.0 Collection Services shall not be provided:
 - 9.1.1 To any Service User who uses a Cart that does not comply with the criteria set out in this Bylaw; or
 - 9.1.2 With respect to any Blue Bag or Cart that is not placed for collection in accordance with this Bylaw.

PART 3: Miscellaneous Provisions

10.0.0 Burning

- 10.1.0 No Person shall burn Solid Waste in the open air except in accordance with the Town's authorization and all necessary legislated permits or approvals.

11.0.0 Recycling Station

- 11.1.0 The Manager of Operations may from time to time prescribe the types of recyclables which will be accepted at the Recycling Station. The Town reserves the right to add or delete from the materials accepted at the Recycling Station by posting notice at the site as to acceptable materials.
- 11.2.0 The Manager of Operations has the authority to prescribe the hours of operation for any Town Recycling Station.
- 11.3.0 The Manager of Operations shall determine if the type of material delivered is acceptable.
- 11.4.0 A person shall only deposit approved recyclables at any Town Recycling Station in accordance with the directions of an attendant or in accordance with the site signage if no attendance is present.
- 11.5.0 No person shall deposit at a Recycling Station any waste which may, by itself or in combination with any other material that may be present create a danger to the health or safety of persons employed or visiting the site(s). These would include:
 - 11.5.1 a dangerous good or radioactive material of any type/ hazardous waste
 - 11.5.2 public hazard
 - 11.5.3 a dead animal.
- 11.6.0 It is unlawful for a person to enter a Town Recycling Station for scavenging, salvaging, scattering, searching through or burning any waste.
- 11.7.0 If unacceptable Solid Waste is deposited at the Recycling Centre or if recyclables are not deposited according to signage, the Town will charge the offender the costs associated with removal of the unacceptable Solid Waste or the sorting costs.

PART 4: Enforcement

12.0.0 Offence

- 12.1.0 A Person who contravenes or fails to comply with the provisions of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine of not less than \$100 and no more than \$500.00 excluding costs, for each offence, and in default of payment to imprisonment for a period not exceeding 6 months.
- 12.2.0 An offence ticket having printed wording stating the nature of the offence may be issued and served by a Peace Officer upon any person alleged to have breached any of the provisions of the bylaw.
- 12.3.0 Any written notice issued under the provisions of this bylaw shall be deemed to be

sufficiently served if served personally upon the person alleged to have committed the breach or if either served personally or mailed to the address of the owner, occupier or other person in charge of the premises upon which the breach is alleged to have been committed.

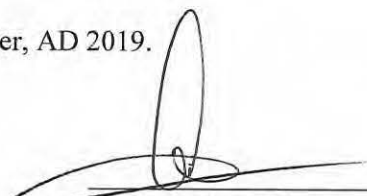
13.0.0 Rates and Fees

- 13.1.0 Rates and fees are contained within the Fees and Charges bylaw. Council may amend the rates and fees established in the Fees and Charges bylaw from time to time through an amending bylaw.
- 13.2.0 All accounts with the Town, under this bylaw shall become due and payable in the same manner as the Water and Sewer Services bill with the Solid Waste Management service fee being added to the said Water and Sewer bill.
- 13.3.0 In default by the property owner of payment of the said charges, the amount of such sums in default shall be a charge against the property in respect of which the service was provided and such charge shall be subject to the same penalties and collectible by the same manner as other taxes levied by the said Town.
- 13.4.0 If services are provided to a service address and the Service User defaults in payment then the Town may take civil action to collect the outstanding amounts.

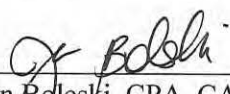
PART 5: Effective Date and Repeal

- 14.1.0 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.
- 14.2.0 Bylaw 2600/S/18 is hereby repealed.
- 14.3.0 This bylaw shall take full force and effect upon passage of third and final reading and upon signing in accordance with Section 213, *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto.

Read a first time this 25th day of November, AD 2019.



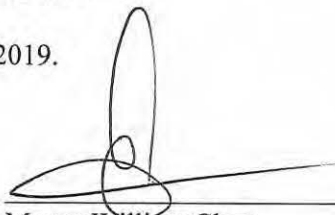
Mayor William Choy



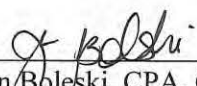
Jen Boleski, CPA, CA
General Manager, Corporate Services

Read a second time this 9th day of December, AD 2019.

Read a third time this 9th day of December, AD 2019.



Mayor William Choy



Jen Boleski, CPA, CA
General Manager, Corporate Services