

**BYLAW NO. 381**

**A BYLAW OF THE TOWN OF BREDENBURY  
Waste Management Bylaw**

---

---

**A BYLAW OF THE TOWN OF BREDENBURY TO PROVIDE A WASTE MANAGEMENT PROGRAM  
FOR THE PROPER COLLECTION AND DISPOSAL OF WASTE MATERIAL AND COSTS  
ASSOCIATED WITH IT**

WHEREAS the Council of the Town of Bredenbury is empowered to pass a Bylaw for the proper collection and disposal of waste, recyclables and other refuse pursuant to the provisions of the Municipalities Act and subject to the Litter Control Act, The Clean Air Act and the Environmental Management and Protection Act.

NOW THEREFORE, the Council of the Town of Bredenbury, in the Province of Saskatchewan hereby enacts as follows:

**TITLE:**

- 1. This Bylaw shall be cited as “The Waste Management Bylaw”

**DEFINITIONS:**

- 2. (a) “Municipality” – shall mean the Town of Bredenbury  
(b) “Council” – shall mean the Council of the Town of Bredenbury  
(c) “Litter” – shall mean any and all miscellaneous waste which when discarded, dropped, placed, blown or carried onto any sidewalk, street, boulevard, land, park, public place or private premises contributes to untidiness and detracts from the municipality cleanliness  
(d) “Owner” – shall mean a person who is the legal or beneficial owner of a premise  
(e) “Occupant” – shall mean a person who, alone or with others is in charge of or has possession of a premise  
(f) “Waste” – shall mean food scraps, packaging and general household waste that is not considered hazardous to the environment

**UTILITY**

- 3. (a) There is hereby established a solid waste utility, the purpose of which is to provide for the storage, collection, transportation and disposal, except where otherwise herein provided, of solid waste originating within the municipality.  
(b) Notwithstanding anything contained in this bylaw, the municipality shall not be required to provide collection and disposal of solid waste originating outside of the municipality  
(c) The solid waste utility established by subsection (a) of Section 3 hereof shall be managed, operated and referred to as the solid waste utility.  
(d) The municipality may contract with any person to supply part of all of the goods or services necessary for the provision of the solid waste utility.  
(e) The town shall collect biweekly, from each residential dwelling unit in a residential dwelling location, all residential land fillable solid waste that is properly prepared for collection pursuant to this Bylaw.  
(f) The municipality shall collect bi-weekly, from each commercial unit in a commercial location, all commercial land fillable solid waste that is properly prepared for collection pursuant to this bylaw.

- (g) The municipality shall collect monthly, from each residential dwelling unit in a residential dwelling location, all residential recyclables that is properly prepared for collection pursuant to this Bylaw
- (h) The municipality shall collect monthly, from each commercial unit in a commercial location, all commercial recyclables that is properly prepared for collection pursuant to this Bylaw.

ADMINISTRATION

- 4. The Town of Bredenburg may cause to be prepared and printed, and kept up to date, a consolidation of this bylaw and schedules, indices and appendices thereto, and may make such arrangements with respect thereto, and with respect to matters incidental thereto, as may be required.

PROVISIONS FOR THE DISPOSAL OF WASTE

- 5. (a) Subject to the provisions and conditions set forth in this bylaw the municipality shall be responsible for the public collection and removal of solid waste within the limits of the municipality.
- (b) The collection and removal of solid waste within the limits of the municipality shall be done by ~~be done~~ public works, or the Council may provide for the collection, removal and disposal of solid wastes within the limits of the municipality by contract with any person on any terms and conditions that the Council considers expedient, and except as hereinafter mentioned, no householder or other party shall remove or dispose of any refuse or garbage except at their own expense.
- (c) The Administrator, as directed by Council, shall provide specifications and supervision or the operation of facilities and equipment necessary or desirable for the disposal of waste collected or disposed of within the municipality.
- (d) The Administrator, as directed by Council, shall supervise the collection, removal and disposal of waste within the municipality.
- (e) The Administrator, as directed by Council, shall direct days and times that collections are to be made within the municipality.
- (f) The Administrator, as directed by Council, shall decide as to the qualities and defined classes of wastes to be removed from any premises or accepted for the municipality for disposal.
- (g) Subject to the provisions of this Bylaw, the decision of the Administrator, as directed by Council, as to the amount and type of waste that is accepted from any premises shall be final.
- (h) Employees of the municipality shall have the right to enter onto a property other than a dwelling for the purpose of performing the duties assigned to them.
- (i) No person other than a lawful user thereof or an authorized employee shall open any waste receptacle or container or remove waste put out for collection.
- (j) No person shall place automobile, parts, batteries, building materials, fences, gates or similar fixtures, dead animals or parts of dead animals, concrete, grease, yard wastes, liquid waste, hazardous substances, inflammable substances, large furniture, major appliances, oil, propane tanks, paint, sod, soil, dirt, tires or any item over (1.) meter in length in a container or receptacle for waste collection. Containers and receptacles containing the items mentioned above will not be collected.**
- (k) ~~No~~ person shall litter as defined in this Bylaw and Section 3 of the Litter Control Act. Waste disposed outside the designated collection and disposal system shall be considered littering and the offending party subject to all fines and penalties relative to the Litter Control Act or other similar legislation, policy or procedure.

#### ACCUMULATION OF WASTE PROHIBITED

6. (a) 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, except as permitted in this Bylaw.  
(b) Notwithstanding anything in subsection 6(a) 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 municipality relating to health, sanitation or nuisance.

#### DEPOSITING WASTE ON PRIVATE PROPERTY

7. (a) No person shall dispose of waste anywhere in the municipality other than in a waste container.  
(b) A person who has disposed of waste on any land contrary to the provision of Subsection 7(a), shall remove the said waste upon being required to do so by the owner or occupant of the land or by the Administrator, Public Health Inspector, or a Police Officer, but such removal shall not prevent them from being prosecuted for a contravention of Subsection 7(a).  
(c) If the person who has placed waste on land contrary to the provisions of subsection 7(a), 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 Administrator, Public Health Inspector, or a Police Officer.

#### AUTOMATED WASTE COLLECTION

8. (a) The Administrator or designate may assign any area of the municipality for automated residual waste collection and automated recyclable collection through the use of containers for curbside collection, through the services of a third party waste services provider.  
(b) Automated waste and recyclable collection will apply to all residential customers, Automated waste and recyclable collection will apply to all commercial customers unless they have provided for waste and recyclable collection through other means, at their own expense, pursuant to all regulations contained within this bylaw and other related legislation.  
(c) The municipality, through a contracted service provider, shall collect residential and commercial residual waste and recyclables as per scheduled pick up notices distributed to customers, as per schedule determined by Administrator and contracted service provider.  
(d) No persons shall damage or deface any automated residual waste or recycling collection bin or container for curbside collection; place waste and/or recyclables beside or on top of a container; place residual waste or any non-recyclable waste material in an automated recyclable waste container; deposit or place any flaming or smoldering material or otherwise cause any fire in an automated residual waste container or automated recyclable waste container.  
(e) Persons placing waste in automated residual waste containers and automated recyclable waste containers shall make sure that the containers are closed after the disposal of waste.

#### CURBSIDE AUTOMATED RESIDUAL WASTE COLLECTION

9. (a) The Municipality and/or contracted service provider shall provide containers for curbside automated residual waste collection in care of the occupant of the property. It is the responsibility of the occupant to store and handle the container in such a way that it will not be damaged.  
**(b) No property shall be entitled to receive from the municipality and/or contracted service provider more than one container for curbside residual waste collection. The**

exception is a family of 6 or more whereas a second curbside residual waste container may be provided.

(c)The occupant shall deposit residual waste that cannot be recycled, for collection in the container.

(d) The occupant shall remove the container from the curb or front street edge as soon as possible after collection.

CURBSIDE AUTOMATED RECYCLABLE COLLECTION

- 10.(a) The Municipality and/or contracted service provider shall provide containers for curbside automated recyclable collection in care of the occupant of the property. It is the responsibility of the occupant to store and handle the container in such a way that it will not be damaged.
- (b) The occupant shall deposit only recyclable material, subject to lists provided by serviced provider, for collection in the container.
- (c) The occupant shall flatten all cardboard boxes and cleanly rinse all plastic or tin containers before placing them into recyclable container.
- (d) The document shall remove the container form the curb or front street edge as soon as possible after collection.
- (e) The occupant can request a second recycle container from the municipality.

HEALTH AND FIRE BYLAWS NOT SUPERCEDED

- 11.Nothing in this Bylaw shall be deemed to nullify, amend, supersede or repeal any provision of any Bylaw or regulation relating to fires or to public health, but in the event of any conflict between such bylaw 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.

BURNING OF WASTE MATTER

- 12.(a) The burning of any household waste material with-in the municipality is strictly prohibited.
- (b) Only the burning of seasoned wood products in an outdoor fire pit with cover is permitted.
- (c) No person shall set, feed or maintain, or cause to be set, fed or maintained an open fire within the municipality without the proper Fire Permit.

RATES

- 13.(a) The municipality shall from time to time set rates, by resolution of Council, or the collection and disposal of solid waste and recyclables services provided by the municipality for both residential dwellings and commercial businesses. These rates will be set out in Schedule “A” to this Bylaw and may be amended from time to time as deemed necessary.
- (b) These rates shall be applicable to waste that is properly prepared for collection and disposed of pursuant to the regulations of this Bylaw.
- (c) All persons provided with or offered collection services by the municipality in residential dwelling locations or a business location shall pay the rates set out in Schedule “A” to this Bylaw applicable to such service.
- (d) 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 results in a discontinuation of both waste removal and water & sewer service.
- (e) Any fees or charges remaining unpaid by the 31<sup>st</sup> of December of the year the sum became payable may be added to and form part of the taxes on the land in respect of which the collection, removal and disposal was done.

Formatted: Indent: First line: 1.27 cm

OFFENCES AND PENALTIES

14.(a) Every person commits an offence who:

- (i) Allows waste of any kind to accumulate on or in any land or building other than as permitted in this Bylaw;
  - (ii) Places or disposes of waste other than as permitted in this Bylaw;
  - (iii) Fail to take proper measures to prevent waste from escaping from a vehicle
  - (iv) Being the owner or operator of a vehicle used in carrying out the construction, alteration or demolition of any building, structure or landscaping allows any earth or waste to be deposited upon a street or sidewalk by or from such vehicle, or fails to remove such earth or waste form the street or sidewalk;
  - (v) Being a person other than the owner, operator or occupant of a business or residence to which a waste container is assigned or a person permitted by the Administrator or service provider disturbs or disrupts the contents of waste container;
  - (vi) Being a person other than the town, operator or occupant of a business or residence to which a waste container is assigned or person permitted by the Administrator or service provider removes any waste, object or material from a waste container or collection vehicle;
  - (vii) Cause or permits any loss of or damage to a waste container;
  - (viii) ~~Leaves~~ a container on a public right-of-way 24 hours in advance of pickup and 24 hours after pickup.(if exception is needed please call the municipality to arrange for public works to remove it from the street);
  - (ix) Fails to maintain a waste container in a sanitary state;
  - (x) Being a person other than a person permitted by the owner removes recyclable material from a ~~recycling~~ container or disturbs or disrupts the contents of a recycling container; or
  - (xi) Places waste in a recycling container.
- (b) Any person found guilty of an infraction of this bylaw shall be liable to the penalties provided for in subsection (c), (d), and (e) to Section 16 of this Policy.
- (c) In the case of a first offence, to a fine of fifty (~~\$%50.00~~) dollars and in default of payment
- (d) In the case of a second offence committed within a period of twelve (12) month~~is~~ following the commission of a first offence, to a fine of one hundred (\$100.00) dollars
- (e) In the case of each third and subsequent offence committed within a period of twelve (12) months following the commission of a first offence, to a fine of five hundred (\$500.~~00~~) dollars and in default of payment

COMING INTO FORCE

15.(a) This bylaw shall come into force and take effect upon final passing.

Unanimously passed by all Councillors.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
CAO

Certified a true copy of Bylaw No.  
381 adopted by Council this 28th  
Day of November, 2018.

\_\_\_\_\_  
CAO

TOWN OF BREDENBURY		
SCHEDULE "A"		
TO BYLAW 381		
<u>Rates per month</u>	<u>\$ on Utility Bill per Quarter</u>	
Residences	\$12.00	\$36
(charge per utility account)		
Multi-unit dwellings	\$12.00	\$36
(charge per utility account)		
Commercial Businesses	\$12.00	\$36
CPR	\$0	\$0
Can Do Rail	\$0	\$0