



OFFICE CONSOLIDATION

BYLAW NUMBER 20M2001

**BEING A BYLAW OF THE CITY OF CALGARY
TO REGULATE AND MANAGE WASTE**

(As Amended by Bylaw Numbers 38M2003, 65M2008, 55M2009)

WHEREAS the *Municipal Government Act* S.A. 1994, c. M-26.1 provides that Council may pass bylaws for the municipal purposes respecting the safety, health and welfare of people, the protection of people and premises, nuisances, services provided by or on behalf of the municipality, and the enforcement of bylaws; and

WHEREAS it is desirable to regulate and control the storage, collection and disposal of waste within the City of Calgary;

**NOW THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

1. This Bylaw may be referred to as the "Waste and Recycling Bylaw".
(B/L 55M2009, 2009 November 2)
2. In this Bylaw the term:
 - (a) "*alley*" means a lane intended primarily for access to the rear yard of adjacent premises;
 - (b) "*animal waste*" means all forms of waste from animals or the treatment of animals except animal carcasses or parts;
 - (c) "*apartment building*" means a single building comprised of more than four dwelling units with shared entrance facilities;
 - (d) "*automated collection*" means the collection of waste or recyclable materials by means of a mechanical system into vehicles specially designed for such purposes;
 - (e) "*automated collection containers*" means containers approved and provided by the City for automated collection of waste and recyclable material;
 - (f) "*biomedical waste*" means medical waste that requires proper handling and disposal because of environmental, aesthetic, and health and safety concerns as well as risks to human health and includes:
 - (i) human anatomical waste;
 - (ii) infectious human waste;
 - (iii) infectious animal waste;
 - (iv) microbiological waste;

- (v) blood and body fluid waste; and
- (vi) medical sharps;
- (g) “*Bylaw*” means this Bylaw as it may be amended from time to time and includes all Schedules attached to this Bylaw;
- (h) “*City*” means the municipal corporation of The City of Calgary or the area located within the boundaries of the City, as the context requires;
- (i) “*City Manager*” means the person appointed by the Council of the City as its Chief Administrative Officer, or that person’s designate;
- (j) “*collection*” means picking up and gathering waste or recyclable material, including transport of the waste or recyclable material to a disposal site or material recovery facility, as applicable;
- (k) “*collection services*” means one or more of the services provided by the City under this Bylaw, including waste collection services and recyclable material collection services;
- (l) “*collector*” means a person employed to collect waste or recyclable materials;
- (m) “*commercial bin*” means a container provided for the storage of waste with a capacity of more than three-hundred-sixty-five (365) litres and constructed to be emptied mechanically into a collection vehicle;
- (n) “*commercial premises*” means any premises that are not a residential dwelling and includes an apartment building and any premises that are exempt from municipal assessment or taxation;
- (o) “*community recycling depot*” means an area maintained by the City and accessible to the public that contains bins set aside for the collection of recyclable material by the City;
- (p) “*condominium*” means any residential dwelling to which title is:
 - (i) registered under the *Condominium Property Act*, R.S.A. 2000, c. C-22, as amended; or
 - (ii) held by a cooperative housing association registered under the *Cooperatives Act*, S.A. 2001, c. C-28.1, as amended;
- (q) “*designated officer*” means a City employee who has the powers, duties or functions of a designated officer pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, or any enactment substituted therefor;
- (r) “*Director, Waste and Recycling Services*” means the City Manager or that person’s designate;

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- (s) “*disposal site*” means any premises designated by the Director, Waste and Recycling Services for the disposal of waste or any other premises which is approved by Alberta Environment for the disposal of waste;
- (t) “*duplex*” means a single building that contains two dwelling units, either located side by side or one above the other, and each dwelling unit has a separate, direct entrance from grade;
- (u) “*dwelling unit*” means a residence of one or more persons that contains kitchen, living, sleeping and sanitary facilities;
- (v) “*fourplex*” means a single building that contains four dwelling units, and each dwelling unit has a separate, direct entrance from grade;
- (w) “*general medical waste*” means non-hazardous medical waste and includes soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, lab coats and aprons, tubings, filters, towels and disposable sheets, but excludes biomedical waste;
- (x) “*hazardous waste*” means waste that is generated from any premises and has one or more hazardous properties as described in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, as amended and *Waste Control Regulation* (Alta. Reg. 192/1996), Schedule 1, as amended;
- (y) “*industrial waste*” means waste generated by commercial or industrial activities that presents health, safety or environmental concerns, and includes, but is not limited to, lime, sulfur, asbestos, contaminated soils, empty chemical containers and drums, carbon, acids, caustics, sludge, and industrial sump water, but excludes hazardous waste and biomedical waste;
- (z) “*litter receptacle*” means a receptacle intended for public use for the deposit and collection of litter, but excludes a commercial bin or a waste container;
- (aa) “*material recovery facility*” means a facility that receives, separates and prepares recyclable material for marketing;
- (bb) “*medical sharp*” means a needle device or any non-needle sharp used for withdrawing body fluids, accessing an artery or vein, administering medications or other fluids, or any other device that can reasonably be expected to penetrate the skin or any other part of the body;
- (cc) “*multiplex*” means a single building designed to contain no more than four dwelling units on one or two levels and all dwelling units share entrance facilities;
- (dd) “*multi-residential complex*” means a group of more than four dwelling units that:
 - (i) share a common parcel of land; or
 - (ii) share a private roadway that provides access to the dwelling units, notwithstanding that some of the dwelling units may be located adjacent to a public street; or

- (iii) both (i) and (ii).
- (ee) “owner” includes the person shown as the owner on the land title for a property, the occupant of a premises, the lessee or tenant of a premises, the condominium board of a condominium property, or the property management company that holds itself out as responsible for the maintenance of a premises, as applicable;
- (ff) “*plastic garbage bag*” means a plastic bag specifically marketed to store waste for collection, and excludes plastic bags that are intended for other purposes;
- (gg) “*recyclable material*” means the materials designated in Schedule C;
- (hh) “*residential dwelling*” means any building intended for residential use, including a single detached dwelling, duplex, triplex, fourplex, multiplex, rowhouse and townhouse, but excludes an apartment building;
- (ii) “*rowhouse*” means a building that contains no more than four dwelling units located side by side and fronting on a street where each dwelling unit is located on an individual parcel of land and has a separate, direct entry from grade adjacent to a street;
- (jj) “*single detached dwelling*” means a building designed to contain one dwelling unit only and is separated on all sides from any other dwelling unit;
- (kk) “*townhouse*” means a single building that contains no more than four dwelling units separated from one another by party walls extending from foundation to roof and each dwelling unit has a separate, direct entrance from grade;
- (ll) “*triplex*” means a single building that contains three dwelling units, and each dwelling unit has a separate, direct entrance from grade;
- (mm) “*waste*” means anything that is set out for collection and includes animal waste, industrial waste, general medical waste, or yard waste, but excludes hazardous waste and biomedical waste;
- (nn) “*waste container*” means a container approved for waste collection, but excludes an automated collection container, commercial bin and a litter receptacle;
- (oo) “*waste management*” means to dispose of and manage residential waste at City disposal sites pursuant to the City’s responsibility to comply with environmental, regulatory, public health and permit requirements or guidelines;
- (pp) “*yard waste*” means waste from gardening or horticultural activities and includes grass, leaves, plants, tree and hedge clippings, and sod.

(B/L 38M2003, 2003 October 6)
(B/L 55M2009, 2009 November 2)

AUTHORITY OF DIRECTOR, WASTE AND RECYCLING SERVICES

3. The Director, Waste and Recycling Services is authorized to:

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- (a) approve or set specifications for commercial bins, waste containers, automated collection containers and plastic garbage bags;
(B/L 55M2009, 2009 November 2)
- (b) specify the types of waste or recyclable material accepted at a City disposal site, material recovery facility or community recycling depot;
(B/L 55M2009, 2009 November 2)
- (c) specify the quantities and types of waste or recyclable material eligible for collection;
(B/L 55M2009, 2009 November 2)
- (d) designate City premises to be used as City disposal sites;
- (e) determine the time and frequency of the collection of waste or recyclable material;
(B/L 55M2009, 2009 November 2)
- (f) make and execute agreements on behalf of the City for the collection of waste or recyclable material and disposal services;
(B/L 55M2009, 2009 November 2)
- (g) issue industrial waste permits for the disposal of industrial waste;
- (h) grant approvals and permissions as set out in this Bylaw, and
- (i) establish systems for billing and collecting rates, fees and charges.

RATES AND FEES

- 3.1 (1) Council shall set rates for the following:
- (a) waste disposed of at a City disposal site,
 - (b) residential curbside recycling management, and
 - (c) waste management.
- (2) Where waste management services and residential curbside recycling management services are supplied by The City, the owner of a premises shall pay to the City a monthly charge as set out in Schedule "B".
- (3) Rates for waste management and residential curbside recycling management will apply even where no material is set out for collection.
- (4) Subject to Subsection (1), the Director, Waste and Recycling Services, may establish fees for products and services provided with respect to the collection and disposal of waste and residential curbside recycling, including the maintenance, repair and replacement of City-owned recycling or waste containers."
(B/L 38M2003, 2003 October 6)
(B/L 65M2008, 2008 November 17)

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- 3.2. Notwithstanding the provisions of this Bylaw, the Director, Waste and Recycling Services, may suspend or discontinue the collection of waste or recyclable material if the owner of a residential dwelling, condominium or commercial premises contravenes a provision of this Bylaw.

(B/L 55M2009, 2009 November 2)

GENERAL RULES

4. (1) No person shall scavenge waste or recyclable material from a commercial bin, waste container, automated collection container, plastic garbage bag or community recycling depot.
- (2) The owner of a vehicle involved in an offence referred to in this Section is guilty of the offence, unless that vehicle owner satisfies the Court that the vehicle was:
- (a) not being operated by the owner; and
 - (b) that the person operating the vehicle at the time of the offence did so without the vehicle owner's express or implied consent.
- (B/L 55M2009, 2009 November 2)
5. The owner of any premises shall store waste or recyclable material on the premises from which it is generated, unless it is stored on other premises with the consent of the owner and occupant of those other premises.
- (B/L 55N2009, 2009 November 2)
6. No person shall deposit waste or recyclable material in a waste container or commercial bin without the consent of:
- (a) the owner of the container or bin;
 - (b) the owner of the property where the container or bin is located; and
 - (c) the occupant of the property where the container or bin is located.
- (B/L 55M2009, 2009 November 2)
7. Unless the owner has written approval from the Director, Waste and Recycling Services to set waste containers and plastic garbage bags out for collection in a specific location, an owner must ensure that waste containers and plastic garbage bags containing waste are:
- (a) located immediately adjacent to a street or alley;
 - (b) at a central location where the collector will have easy, direct and safe access to the waste containers or plastic garbage bags;
 - (c) if intended for front street collection:
 - (j) if there is no sidewalk, on the occupant side of the curb;

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- (ii) if there is a sidewalk joined to the curb, on the occupant premises, adjacent to the sidewalk, or
- (iii) if there is a separate sidewalk with a boulevard, on the boulevard adjacent to the curb; and
- (d) if there is a walkway or stairway adjacent to the street or alley, at the bottom of the walkway or stairway.

(B/L 38M2003, 2003 October 6)

8. If there is a fence between waste that has been set out for collection and a street or alley, the owner must ensure there is an opening in the fence:
- (a) at least 0.2 metres wider than all the waste containers and plastic garbage bags; and
 - (b) at least 0.4 metres higher than the highest waste container or plastic garbage bag,

such that the collector can easily and safely access the waste containers and plastic garbage bags.

9. An owner shall ensure that waste or recyclable material stored or set out for collection on or adjacent to that owner's premises does not:
- (a) create offensive odours; or
 - (b) become untidy.

(B/L 55M2009, 2009 November 2)

AUTOMATED COLLECTION CONTAINERS

- 9.1. (1) Residential dwellings that are eligible for automated collection of waste or recyclable material will be delivered and assigned an automated collection container.
- (2) The number of automated collection containers required and the size of the automated collection containers required will be determined by the Director, Waste and Recycling Services, or that person's designate.
- (3) Automated collection containers assigned to a residential dwelling shall remain with that residential dwelling.
- (4) Automated collection containers shall remain the property of the City and may be removed by the City, its contractors or agents at the direction of the Director, Waste and Recycling Services, or that person's designate.
- (5) Owners of residential dwellings are responsible for all automated collection containers assigned to the residential dwelling and shall ensure that the containers are:
- (a) kept clean;

- (b) secured against theft or loss;
 - (c) maintained in good condition;
 - (d) not altered in any way, including any alteration of the exterior;
 - (e) used only for recyclable material if the container is an automated collection container for recyclable material;
 - (f) available to the City, its contractors or agents within a reasonable time frame for the purposes of inspection, maintenance or repair.
- (6) An owner of a residential dwelling shall be responsible for all fees related to automated collection containers issued for the owner's premises including fees for the maintenance, repair or replacement of the automated collection container.
(B/L 55M2009, 2009 November 2)

RESTRICTIONS ON WASTE

10. Except as otherwise provided in sections 11, 12, 13, 14 and 15, an owner shall ensure that the following types of waste are not set out for collection from his premises:
- (a) industrial or hazardous waste;
 - (b) biomedical waste;
 - (c) general medical waste;
 - (d) sharp objects such as glass, nails, knives, metal, or wood splinters;
 - (e) animal waste, dead animals or animal parts;
 - (f) sawdust and powdered materials;
 - (g) automobile waste including automobile parts, tires, and batteries;
 - (h) building materials and furniture;
 - (i) individual items that are larger than 1.25 metres in any dimension or items that weigh more than 20 kilograms;
 - (j) liquids; and
 - (k) waste that is unsafe for the collector to access or handle.
11. A person may set medical sharps out for collection if the medical sharps are contained in a puncture resistant, non-breakable container with a tight fitting lid before they are set out for collection.

12. A person may set sharp objects out for collection if the sharp objects are contained in a puncture resistant, non-breakable container with a tight fitting lid before they are set out for collection, or if they are set out for collection in a commercial bin.
13. A person may set building materials and furniture out for collection if the building materials or furniture is set out in a commercial bin.
14. A person may set items that are larger than 1.25 m in any dimension or that weigh more than 20 kilograms out for collection in commercial bins.
15. A person may set general medical waste, animal waste, sawdust and powdered materials out for collection if it is packaged in securely tied, double plastic garbage bags.
16. An owner shall ensure that all yard waste that is set out for collection is:
 - (a) packaged in plastic garbage bags;
 - (b) tied in bundles no more than 1.25 metres in length; or
 - (c) set out for collection in a commercial bin.

RESIDENTIAL WASTE

- 16.1. Residential waste collection is provided to all:
 - (a) residential dwellings; and
 - (b) condominiums, subject to Sections 26, 27, 28, 29 and 30 of this Bylaw.
(B/L 55M2009, 2009 November 2)
17. Owners of residential dwellings, other than condominiums, with more than one self-contained suite must ensure there is a single waste storage location for the residential dwelling which is directly accessible from a street or alley.
18. No owner of a residential dwelling shall set out for collection any waste that is not generated from his residential dwelling.
19. Except as provided in section 26, the owner of a residential dwelling must ensure that waste generated at his residential dwelling is set out for collection in a waste container or a plastic garbage bag.
20. Where waste is placed in a receptacle other than a waste container or plastic garbage bag, the receptacle is deemed to be waste and may be collected as such.
21. An owner of a residential dwelling shall ensure that waste containers used at his residential dwelling:
 - (a) are constructed of sturdy, water-tight material;
 - (b) are maintained in good condition;
 - (c) have fixed rigid handles and a smooth rim;

- (d) have properly fitting lids that are kept closed except when the containers are loaded or unloaded;
 - (e) do not have lids attached to the container by chain, rope or wire; and
 - (f) have a maximum volume of no more than 100 litres.
22. Notwithstanding section 21 (f) an owner may use a waste container with a volume larger than 100 litres if waste is packaged in plastic garbage bags and the bags can be easily removed without lifting the waste container.
23. An owner must ensure that residential waste containers used at his premises are filled so that:
- (a) the cover of the container fits properly;
 - (b) contents of the container can be easily removed from the container; and
 - (c) the total weight of the container and its contents does not exceed 20 kilograms.
24. An owner must ensure that plastic garbage bags used at his premises:
- (a) are water-tight and securely tied;
 - (b) are capable of holding their contents without breaking; and
 - (c) the total weight of a bag and contents does not exceed 20 kilograms.
- 24.1. An owner shall ensure that waste or recyclable material from the owner's premises is set out for collection no later than 7:00 a.m. on the day of collection.
(B/L 55M2009, 2009 November 2)
25. An owner with front street collection shall:
- (a) set waste containers or automated collection containers out for collection no earlier than 7:00 p.m. on the day before collection; and
 - (b) remove waste containers or automated collection containers from the collection location before 7:00 p.m. on collection day.
(B/L 55M2009, 2009 November 2)

COLLECTION OF WASTE IN AUTOMATED COLLECTION CONTAINERS

- 25.1. (1) Where waste is collected by automated collection, waste shall be placed in an automated collection container for waste.
- (2) If the automated collection container for waste is full, any additional waste may be placed in a plastic garbage bag or waste container and placed near the automated collection container for waste.

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- (3) An owner shall ensure that automated collection containers for waste used at the owner's premises are filled so that the total weight of the container and its contents does not exceed sixty (60) kilograms.
- (4) Unless an owner has written approval from the Director, Waste and Recycling Services to set an automated collection container for waste out for collection at a specific location, the owner shall ensure that an automated collection container filled with waste:
- (a) is located at least one (1) metre from any object on either side of the container;
 - (b) is located at least thirty (30) centimetres from any object behind the container;
 - (c) has an overhead clearance above the top of the automated collection container of three (3) metres;
 - (d) if intended for front street collection, is:
 - (i) located in front of the residential dwelling that generated the waste materials;
 - (ii) located on the street at the curb; or on the driveway at the street; and
 - (iii) placed in an upright position with the lid closed and the front of the cart facing the street;
 - (e) if intended for alley collection, is:
 - (i) located behind the residential dwelling that generated the waste materials;
 - (ii) located adjacent to the alley on level ground and not on a step or raised platform of any kind; and
 - (iii) placed in an upright position with the lid closed and the front of the container facing the alley;
 - (f) is not obstructing traffic in the street or alley.
- (5) Where more than one automated collection container is set out for automated collection:
- (a) the minimum amount of space between individual automated collection containers or additional waste shall be thirty (30) centimeters; and
 - (b) a minimum of one (1) metre of space from any object shall exist on both sides of the grouping of containers or additional waste.

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- (6) Notwithstanding Section 18 and Section 18.1 of the Street Bylaw 20M88, as amended, an owner may set out one or more automated collection containers for waste on the street or alley for automated collection in accordance with the requirements of Subsections (4) and (5) of this Section.

(B/L 55M2009, 2009 November 2)

COLLECTION FROM CONDOMINIUMS

26. The owner of a condominium may set waste out for collection in a commercial bin if use of a commercial bin is approved in writing by the Director, Waste and Recycling Services.
- (B/L 38M2003, 2003 October 6)
27. If the Director, Waste and Recycling Services approves the use of a commercial bin by a condominium, the owners of the condominium must provide and maintain the commercial bin at their own cost.
- (B/L 38M2003, 2003 October 6)
28. Where the Director, Waste and Recycling Services has approved the use of a commercial bin by a condominium, the owners of that condominium must ensure the commercial bin is placed at a location where the collector can easily and safely access it, unless, the Director, Waste and Recycling Services has approved in writing a specific location for the commercial bin.
- (B/L 38M2003, 2003 October 6)
29. The City will collect waste from a condominium using a commercial bin only if the commercial bin is owned by the condominium or is rented from the City.
30. Where The City collects waste from a condominium The City will collect waste with the same frequency as it does at other residential dwellings.

COMMERCIAL WASTE

31. Except as provided in section 32, the owner of commercial premises must ensure waste generated at the premises is set out in a commercial bin for collection.
32. The Director, Waste and Recycling Services may give the owner of commercial premises written approval to set waste out for collection in waste containers or plastic garbage bags.
- (B/L 38M2003, 2003 October 6)
33. The owner of commercial premises must ensure sufficient commercial bins, waste containers, or plastic garbage bags are available to hold and retain all waste from the premises.
34. The owner of premises using commercial bins must ensure that:
- (a) the bins are located in a central place that allows direct vehicular access to the bins;
 - (b) snow and ice does not accumulate near the bins such that vehicle access to the bins is impeded; and

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- (c) if The City collects waste from a premises using a commercial bin, the bin meets the specification set by the Director, Waste and Recycling Services.
(B/L 38M2003, 2003 October 6)
35. If it is impractical for a commercial bin to be located outside of commercial premises, the Director, Waste and Recycling Services may give written approval to the owner of the commercial premises to store the commercial bin inside a building.
(B/L 38M2003, 2003 October 6)
36. The Director, Waste and Recycling Services shall not give written approval for a commercial bin to be stored inside a building unless he is first satisfied that the Fire Marshall of the City does not object to the storage of the commercial bin inside the building.
(B/L 38M2003, 2003 October 6)
37. The owner of commercial premises shall ensure there are sufficient litter receptacles on the premises.
38. The owner of commercial premises shall ensure that all litter receptacles on the premises are:
- (a) maintained in good condition;
 - (b) weighted or anchored so they cannot be inadvertently overturned;
 - (c) of suitable size and at sufficient locations to discourage litter; and
 - (d) emptied into a commercial bin, waste container, or plastic garbage bag when full.

WASTE DISPOSAL

39. No person or owner of a motor vehicle as that term is used in the Traffic Safety Act, R.S.A. 2000, c. T-6 shall:
- (a) dispose of any waste at a City disposal site other than the types of waste specified by the Director, Waste and Recycling Services.
 - (b) dispose of waste at a City disposal site unless it is packaged to prevent litter once deposited; or
 - (c) scavenge at a City disposal site.
- (B/L 38M2003, 2003 October 6)
(B/L 55M2009, 2009 November 2)
40. No person or owner of a motor vehicle as that term is used in the Traffic Safety Act, R.S.A. 2000, c. T-6 shall dispose of industrial waste without an industrial waste permit issued by the Director, Waste and Recycling Services.
(B/L 38M2003, 2003 October 6)
(B/L 55M2009, 2009 November 2)
- 40.1. The owner of a vehicle involved in an offence referred to in Section 39 or Section 40 of this Bylaw is guilty of the offence, unless that vehicle owner satisfies the Court that the vehicle was:

- (a) not being operated by the owner; and
 - (b) that the person operating the vehicle at the time of the offence did so without the vehicle owner's express or implied consent.
- (B/L 55M2009, 2009 November 2)

41. A person to whom an industrial waste permit has been issued shall ensure all provisions of that permit are complied with.

42. DELETED BY BYLAW 65M2008, 2008 NOVEMBER 17.

COMMUNITY RECYCLING DEPOTS

- 42.1. (1) No person shall deposit or dispose of materials at a community recycling depot other than those materials described as permitted materials by signage located at the depot.
- (2) No person shall deposit materials of any kind at a community recycling depot except in the receptacles or bins provided.
- (3) The owner of a vehicle involved in an offence referred to in this Section is guilty of the offence, unless that vehicle owner satisfies the Court that the vehicle was:
- (a) not being operated by the owner; and
 - (b) that the person operating the vehicle at the time of the offence did so without the vehicle owner's express or implied consent.
- (B/L 55M2009, 2009 November 2)

RESIDENTIAL RECYCLING SERVICES

- 42.2. (1) Unless otherwise authorized by the Director, Waste and Recycling Services, residential recycling services shall be provided to only those residential dwellings that are not located in a multi-residential complex and:
- (a) are a:
 - (i) single detached dwelling;
 - (ii) duplex;
 - (iii) triplex;
 - (iv) fourplex;
 - (v) multiplex;
 - (vi) rowhouse; and
 - (vii) townhouse; and
 - (b) receive weekly residential waste collection services.

- (2) An owner of a residential dwelling receiving recycling services shall not set out for collection any recyclable material that is not generated from that owner's residential dwelling.

(B/L 55M2009, 2009 November 2)

COLLECTION OF RECYCLABLE MATERIALS IN AUTOMATED COLLECTION CONTAINERS

- 42.3. (1) Except with respect to community recycling depots, or as specified by the Director, Waste and Recycling Services, an owner of an eligible residential dwelling shall set out any recyclable material for collection services in an automated collection container for recycling.
- (2) Where recyclable material is placed in a receptacle other than an automated collection container for recycling, the receptacle and its contents may not be collected.
- (3) An owner shall ensure that automated collection containers for recycling used at the owner's premises are filled so that:
- (a) the total weight of the container and its contents does not exceed sixty (60) kilograms; and
 - (b) the container contains only recyclable materials.
- (4) Unless an owner has written approval from the Director, Waste and Recycling Services, to set an automated collection container for recycling out for collection at a specific location, the owner shall ensure that the automated collection container containing recyclable material:
- (a) is located at least one (1) metre from any object on either side of the container;
 - (b) is located at least thirty (30) centimetres from any object behind the container;
 - (c) has an overhead clearance above the top of the automated collection container of three (3) metres;
 - (d) if intended for front street collection, is:
 - (i) located in front of the eligible residential dwelling that generated the recyclable material;
 - (ii) located on the street at the curb; or on the driveway at the street; and
 - (iii) placed in an upright position with the lid closed and the front of the container facing the street;
 - (e) if intended for alley collection, is:

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- (i) located behind the eligible residential dwelling that generated the recyclable material;
 - (ii) located adjacent to the alley on level ground and not on a step or raised platform of any kind; and
 - (iii) placed in an upright position with the lid closed and the front of the container facing the alley;
- (f) is not obstructing traffic in the street or alley.
- (5) Where more than one automated collection container is set out for automated collection:
- (a) the minimum amount of space between individual automated collection containers shall be thirty (30) centimeters; and
 - (b) a minimum of one (1) metre of space from any object shall exist on both sides of the grouping of containers.
- (6) Notwithstanding Section 18 and Section 18.1 of the Street Bylaw 20M88, as amended, an Owner may set out one or more automated collection containers containing recyclable material on the street or alley for automated collection in accordance with the requirements of Subsection (4) and Subsection (5) of this Section.
- (B/L 55M2009, 2009 November 2)

ENFORCEMENT

43. Where a Bylaw Enforcement Officer who is also a designated officer, believes a person has contravened any provision of this Bylaw, he may:
- (a) issue to the person an order in accordance with the Municipal Government Act, R.S.A. 2000, c. M-26 to remedy the infraction;
(B/L 55M2009, 2009 November 2)
 - (b) issue to the person a violation ticket in accordance with the Provincial Offences Procedures Act, R.S.A.2000, c. P-34; or
(B/L 55M2009, 2009 November 2)
 - (c) do both (a) and (b) above.
44. If the person to whom an order has been issued pursuant to section 43 fails to comply with the order within the time specified in the order:
- (a) that person commits an offence under this section and a Bylaw Enforcement Officer may issue a violation ticket pursuant to Provincial Offences Procedures Act, R.S.A.2000, c. P-34; and
(B/L 55M2009, 2009 November 2)

BYLAW NUMBER 20M2001

- (b) The City may take whatever steps are necessary to remedy the breach of the bylaw and the cost of doing so becomes a debt owing to the City by the person to whom the order was issued in accordance with the Municipal Government Act, R.S.A. 2000, c. M-26.

(B/L 55M2009, 2009 November 2)

45. Any person who contravenes a provision of this Bylaw is guilty of an offence and is liable on conviction:

- (a) for a first offence, to a fine of not less than the penalty shown in Schedule "A" of this Bylaw in respect of that provision; and
- (b) for a second offence of the same provision within a twenty-four month period, to a fine of not less than twice the amount of the penalty shown in Schedule "A" of this Bylaw in respect of that provision.

(B/L 55M2009, 2009 November 2)

46. The specified penalty for a first offence is the amount shown in Schedule A in respect of that offence.

47. Where, on a prosecution of an offence pursuant to this Bylaw, a person believes a written approval or permission of the Director, Waste and Recycling Services provides that person with a defence, the onus of proving that approval or permission was given rests with the person relying on the permission or approval.

(B/L 38M2003, 2003 October 6)

48. The levying and payment of any fine or the imprisonment for any period provided in the Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs for which he is liable under the provisions of this Bylaw.

49. Nothing in this Bylaw relieves a person from complying with any federal or provincial law or regulation, other bylaw or any requirements of any lawful permit, order, consent or other direction.

50. Where this Bylaw refers to another Act, Regulation or agency, it includes reference to any Act, Regulation or agency that may be substituted therefore.

- 50.1. If a court or tribunal of competent jurisdiction declares any portion of this Bylaw to be illegal or unenforceable, that portion of the Bylaw will be considered to be severed from the balance of the Bylaw, which will continue to operate in full force.

(B/L 55M2009, 2009 November 2)

EFFECTIVE DATE AND REPEAL OF BYLAWS

- 51. Bylaw 13M82 is hereby repealed.
- 52. This Bylaw shall come into force on the day it is passed.

READ A FIRST TIME THIS 19th DAY OF MARCH, 2001.

READ A SECOND TIME THIS 19th DAY OF MARCH, 2001.

READ A THIRD TIME THIS 19th DAY OF MARCH, 2001.

(Sgd.) A. Duerr
Mayor

(Sgd.) D. Widdes
Acting City Clerk

UNCERTIFIED COPY

SCHEDULE "A"

(Amended by Bylaw 55M2009)

<u>Section</u>	<u>Amount of Specified Penalty in Dollars</u>
4. Scavenge waste or recyclable material	\$125.00
5. Storing waste or recyclable material on other's premises	\$250.00
6. Waste or recyclable material deposited without consent	\$250.00
7. Improperly located waste containers	\$125.00
8. Waste inaccessible because of fence	\$125.00
9. Allowing offensive odours or untidy waste	\$125.00
10. Setting out restricted waste for collection	\$250.00
16. Improper packaging of yard waste	\$125.00
17. Fail to provide single waste storage location	\$125.00
18. Set out waste not generated on premises	\$250.00
19. Fail to set out waste in container or plastic garbage bag	\$125.00
21. Use improper waste containers	\$125.00
23. Improperly filled waste containers	\$125.00
24. Improperly filled plastic garbage bags	\$125.00
25. (a) Set waste containers out before 7:00 p.m. on the day before collection	\$125.00
(b) Fail to remove waste containers or automated collection containers from front street by 7:00 p.m. on collection day	\$125.00
25.1(1) Fail to use automated collection container where waste is collected by automated collection	\$125.00
25.1(3), 42.3(3)(a). Filled automated collection container exceeds 60 kilograms	\$125.00
25.1(4)(5) 42.3(4)(5) Fail to properly locate automated collection containers for collection	\$125.00
31. Fail to use commercial bin	\$250.00
33. Fail to provide sufficient bins	\$250.00

BYLAW NUMBER 20M2001

<u>Section</u>	<u>Amount of Specified Penalty in Dollars</u>
34. Fail to provide access to bins	\$250.00
37. Fail to provide litter receptacles	\$125.00
38. Fail to maintain litter receptacles	\$125.00
39. (a) Dispose of improper waste at disposal site	\$250.00
(b) Dispose of improperly packaged waste at disposal site	\$125.00
(c) Scavenge waste at disposal site	\$125.00
40. Dispose of industrial waste without a permit	\$400.00
41. Fail to comply with permit	\$400.00
42.1(1) Deposit improper materials at community recycling depot	\$250.00
42.1(2) Deposit material beside or around bins at community recycling depot	\$250.00
42.2(2) Set out recyclable materials not generated from the owner's premises	\$250.00
42.3(3)(b) Fail to use automated collection container for recycling for recyclable material only	\$250.00
44. Fail to comply with order	\$1000.00

(B/L 55M2009, 2009 November 2)

SCHEDULE "B"

(Amended by Bylaw 65M2008)

WASTE & RECYCLING RATES

The rates or charges described in this Schedule are shown for the years 2009, 2010, and 2011, and shall apply in the calendar year indicated (from January 1 to December 31 inclusive).

TABLE 1 – LANDFILL RATES – DISPOSAL RATES (pursuant to s.3.1(1)(a))

For sanitary and industrial waste deposited at a landfill site	2009	2010	2011
Basic Sanitary Waste	\$75/tonne	\$85/tonne	\$95/tonne
Industrial Waste	\$105/tonne	\$120/tonne	\$135/tonne
Industrial Waste Surcharge is applied to handle low weight, large volume loads	\$250/load	\$250/load	\$250/load
Designated Materials	\$105/tonne	\$120/tonne	\$135/tonne
Clean Fill charges will vary depending on site-specific clean fill requirements	\$0 - 5/tonne	\$0 - 5/tonne	\$0 - 5/tonne
Minimum charge for load less than 250 kilograms	\$10/load	\$12/load	\$15/load
Tires 4 or less to any landfill	No Charge	No Charge	No Charge
Tires 5 or more to Shepard landfill only	\$75/tonne	\$85/tonne	\$95/tonne
Refrigerant removal from equipment – surcharge regardless if it has been removed or not	\$15/item	\$15 /item	\$15 /item

TABLE 2 – RESIDENTIAL CURBSIDE RECYCLING MANAGEMENT RATE

Monthly rates described in Table 2 are based on a thirty (30) day period. The amount billed shall be established by dividing the applicable monthly rate by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

Monthly Rate	2009	2010	2011
Residential Curbside Recycling (\$ per 30 days)	8.00	8.40	8.75

TABLE 3 –WASTE MANAGEMENT RATE

Monthly rates described in Table 3 are based on a thirty (30) day period. The amount billed shall be established by dividing the applicable monthly rate by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

Monthly Rate	2009	2010	2011
Waste Management (\$ per 30 days)	4.00	4.20	4.35

(B/L 65M2008, 2008 November 17)

SCHEDULE "C"

(Amended by Bylaw 55M2009)

Pursuant to this Bylaw, the following materials are designated as recyclable materials:

1. Newspaper
2. Catalogues and magazines
3. Mixed paper
4. Shredded paper: must be enclosed or contained within a securely tied clear plastic bag
5. Telephone books
6. Boxboard and corrugated cardboard
7. Glass food and beverage containers
8. Metal food and beverage containers
9. Aluminum cans, aluminum foil and aluminum foil plates
10. Refundable beverage containers
11. Plastic containers with the recycling symbols from 1-7, except polystyrene foam (including Styrofoam™)
12. Plastic Bags: multiple plastic bags must be deposited and securely tied within a single plastic bag
13. Tetra Paks

(B/L 55M2009, 2009 November 2)