

# TOWN OF ITUNA

## BYLAW NO. 5-2009

*A BYLAW OF THE TOWN OF ITUNA IN THE PROVINCE OF SASKATCHEWAN, TO PROVIDE A WASTE MANAGEMENT PROGRAM FOR THE RESIDENTS OF ITUNA AND TO ESTABLISH WASTE MANAGEMENT AREA FOR THE HANDLING AND DISPOSING OF WASTE MATERIAL*

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COUNCIL of the Town of Ituna, in the Province of Saskatchewan, enacts as follows:

SHORT TITLE:

1. This Bylaw shall be cited as "The Waste Management Bylaw".

DEFINITIONS:

2.
  - (a) "Compost Material" means garden waste, grass clippings, leaves, twigs, fruit and vegetables, but does not include branches, trees or household waste.
  - (b) "Council" means the Council of the Town of Ituna.
  - (c) "Designated Users" means those users of the Ituna and District Landfill Site who are residents of the Town of Ituna and the Rural Municipality of Ituna Bon Accord, No. 246.
  - (d) "Hazardous Waste" means oils, fuels, lubricants, antifreeze, oil base paints, solvent cleaners, herbicides, pesticides, insecticides, noxious chemicals, containers for herbicides, pesticides, insecticides or noxious chemicals and any other material or element that is considered harmful to the environment. Soil or material contaminated with any of the above is also considered hazardous waste.
  - (e) "Household Waste" includes food scraps, packaging and general household waste that can not be recycled.
  - (f) "Ituna and District Landfill" means a portion of NW 1-26-12 W2nd designated for the handling and disposal of waste material.
  - (g) "Metals" means appliances, water heaters, softeners, furnaces and similar metals and equipment.
  - (h) "Municipality" means the Town of Ituna.
  - (i) "Non-Designated Users" means those users of the Ituna and District Landfill Site who are not residents of the Town of Ituna and the Rural Municipality of Ituna Bon Accord, No. 246.
  - (j) "Recyclable" means any item or material that can be diverted from the waste stream for reuse or reprocessing.
  - (k) "Recycle Depot" means an area designated by Council where recyclable material as designated by the municipality can be deposited.
  - (l) "Recycling Program" means opportunities provided locally by the municipality or approved by the municipality that diverts recyclables from the waste stream.
  - (m) "Rubble" means broken cement, pavement, rocks, bricks or similar items.
  - (n) "Wood" means branches, trees, lumber scraps or any other wood product that can be deposited into a designated District.
  - (o) "Ituna and District Landfill" means a portion of the NW 1-26-12 W2nd designated for the handling and disposal of waste material.

PREPARATION OF WASTE MATERIAL FOR COLLECTION:

3. Residents are encouraged to remove all recyclables covered by the municipality's recycling program from their waste stream and deposit them in the municipality's recycling depot.
4. Waste material being accumulated and stored for the purpose of being collected shall be:
  - (a) clearly divided between household waste and compost materials as to accommodate separate collection of each; and
  - (b) In the case of household waste, kept in plastic or metal waste receptacles or tied plastic bags not exceeding 17 gallons by volume or 40 pounds by weight. Loose garbage deposited into waste receptacles shall not be removed.
5. Containers used for the collection of waste materials shall be:
  - (a) securely placed on a stand or hanger in a manner that will preclude it from being ravaged by animals, except during periods of front street collection;
  - (b) kept in a convenient place for removal by an authorized person; and
  - (c) maintained in a serviceable and sanitary condition.
6. Council may order a person to obtain or provide a proper waste receptacle or stand and, if that person fails to comply with the order within a specified time as set out in the order, Council may provide such a receptacle or stand at the expense of that person.

BURNING OF WASTE MATERIAL:

7. The burning of waste material is strictly prohibited within the municipality.
8. The burning of wood or charcoal in a back yard pit shall be permitted within the incorporated limits of the Town of Ituna where a proper burning facility is provided. The burning facility shall be constructed of metal, brick, concrete or other non-flammable material and so constructed to prevent the spreading of sparks or burning material, shall be covered with a grating and any such use shall be under the direct supervision of an adult owner or occupant of the subject land or buildings.

REMOVAL OF WASTE MATERIAL

9. Waste material shall be removed to the Ituna and District Landfill by:
  - (a) a person who has a contract with the municipality for the purpose of waste removal;
  - (b) a municipal employee; or
  - (c) a person having received permission from the municipality.
10. The owner/occupant of his designate may remove waste material to the Ituna and District Landfill during normal Landfill hours of operation providing only that they adhere to the fees and regulations governing the site. All owners or occupants of land or buildings within the Town of Ituna and all users of the quasi-regional Landfill Site owned by both the Town of Ituna and the Rural Municipality of Ituna Bon Accord, No. 246, shall pay to the Town of Ituna user fees as set out in Schedule "A" attached hereto and forming part hereof.
11. The municipality may provide a back lane pickup of certain refuse, including garden waste and grass clippings, free of charge provided it is conveniently piled in an accessible District in the back alley. Dates and times of specific pick ups are at Council discretion.
12. Council shall designate by resolution the days various types of different classes of waste material shall be collected.
13. The collection, removal and disposal of wastes in the Town of Ituna, subject to modification as deemed necessary by the Council, shall be:
  - (a) once a week in all residential zones; and
  - (b) twice a week in all commercial zones.

14. All owners or occupants of land or buildings within the Town of Ituna and those connected to the town water supply shall pay to the Town on a quarterly basis, in advance, the charges as set forth in Schedule "B" attached hereto and forming part hereof for the collection of waste. Fees shall be shown separately as a "RECYCLE FEE" on the quarterly Water and Sewer Utility Billing Notice. Accounts shall be paid within a period of thirty days from the date of which such bills are mailed.

15. Waste collection, removal or disposal services herein mentioned shall commence upon the connection of water and sewer services pursuant to the Water and Sewer Services Bylaw.

16. When the whole or any part of the charges payable to the Town of Ituna as set forth by Schedule "B" remain unpaid on December 31st of the year in which the charges became payable, those charges shall be added to and thereby form part of the taxes on the land and buildings in respect of which the waste collection was completed.

17. The municipality reserves the right to refuse to collect for removal any of the following waste:

- (a) any refuse that does not have compost material separate from household waste;
- (b) any recyclable item accepted at the municipal paper/plastic recycling depot;
- (c) any recyclable item accepted at Sarcan;
- (d) any receptacle or waste item that is considered oversized or overweight;
- (e) branches and trees;
- (f) hazardous waste;
- (g) any waste material or item not accepted at the Ituna and District Landfill; and
- (h) any other waste material or item that could be considered unsuitable for collection.

18. It is the responsibility of the owner or occupant to ensure that any land or building is kept tidy, including the accumulation of waste material. In the event that it is determined by the municipality that an owner or occupant is not adequately providing for the removal of waste material and the land has subsequently become untidy or unsightly, the municipality shall proceed under Town of Ituna Nuisance Abatement Bylaw to remedy the untidiness or unsightliness and the cost of such work shall be added to and become part of the taxes on the land on which the work was done.

19. The following practices are strictly prohibited:

- (a) the dumping of waste material by an individual or corporation on any property within the municipality, whether public or private, that is not designated as a site to accept waste material; and
- (b) The dumping of waste material by an individual or corporation on the ground of the recycling depot or the dumping in the recycling bins of waste material that is not designated for recycling in the municipality's recycling program.

#### ITUNA AND DISTRICT LANDFILL:

20. The Ituna and District Landfill, as identified in Section 2(i), is to provide waste handling services to the residents of the Town of Ituna and the Rural Municipality of Ituna Bon Accord, No. 246 and any other person or corporation as desired by council.

21. The hours of operation for the Ituna and District Landfill shall be set out by resolution of Council, in consultation with the Rural Municipality of Ituna Bon Accord, No. 246.

22. The gates to the Ituna and District Landfill shall be locked except during the designated hours of operation.

23. The gate posted as the Main gate shall be the only permitted point of entry to the Ituna and District Landfill. Any person using a point of entry to the Ituna and District Landfill other than the main gate is guilty of an offence and liable on summary conviction to a penalty of \$50.00 for each offence.

24. Trespassing by unauthorized persons or making use of the Ituna and District Landfill after designated hours of operation is strictly prohibited.

25. The municipality shall ensure that the Ituna and District Landfill is supervised during the designated hours of operation and no one is allowed into the Ituna and District Landfill without supervision.

26. The Ituna and District Landfill shall be segregated in order that different types of waste can be placed in separate Districts. The supervisor shall ensure that all users of the Ituna and District Landfill deposit their waste in the appropriate District.

27. Burning of waste material at the Ituna and District Landfill is strictly prohibited except for one designated burning area. Only wood, building materials or demolition and branches and trees may be ignited. Only the municipality shall have the authority to start a fire at the Ituna and District Landfill.

28. The supervisor shall keep a record of who brings waste material into the Ituna and District Landfill, the type and amount of waste deposited, any user fees collected and any other pertinent information required by Council.

29. Scavenging in the Ituna and District Landfill site District is strictly prohibited.

30. Subject to Section 25, the following material shall be accepted at the Ituna and District Landfill, provided each class of waste material listed is separated from any other:

- (a) household waste;
- (b) compost material;
- (c) rubble;
- (d) wood from building materials or demolition;
- (e) uncontaminated ashes;
- (f) batteries;
- (g) white metal;
- (h) assorted scrap metals;
- (i) household furniture;
- (j) junked vehicles; and
- (k) any other waste material that Council, in consultation with the Rural Municipality of Ituna Bon Accord, No. 246, shall approve by resolution.

31. Notwithstanding Section 30, upon request for demolition purposes, the following shall apply for Ituna and District Landfill users who wish to demolish a building:

- (a) Every person wishing to demolish a building in excess of 100 square feet shall first apply for a demolition permit at the Ituna Administration Centre.
- (b) Prior to any demolition taking place, the contractor shall advise the Landfill supervisor of the contractor's intention to utilize the Ituna and District Landfill facility.
- (c) Provided separation occurs, landfill tipping fees shall be in accordance with tipping fees set out in Schedule "A" attached hereto and forming part hereof.
- (d) All material is to be separated prior to its arrival at the Ituna and District Landfill. Separation means that all porcelain, carpets and glass windows shall be removed from the building before demolition begins.
- (e) All wood is to be transported to the Ituna and District Landfill and placed on the wood pile as directed by the Landfill supervisor.
- (f) All concrete, metals, glass, insulation and other rubble shall be placed in the various Districts as directed by the Landfill supervisor.

32. The following practices are strictly prohibited at the Ituna and District Landfill:

- (a) the dumping or placing of any waste material in or near the gate or on the roadway leading to the Ituna and District Landfill;
- (b) the dumping or placing of any waste material without the permission of the supervisor;
- (c) the dumping or placing of any waste material in an inappropriate District of the Landfill;
- (d) the dumping or placing of any waste material prior to the collection of any applicable user fees

- (e) the lighting of a fire by anyone other than by a designated municipal official; and
- (f) scavenging in the pit area and any other area not authorized by the supervisor.

VIOLATIONS AND PENALTIES:

33. Any person who contravenes any of the provisions of this bylaw is guilty of an offence and, upon summary conviction, shall be liable for the penalties provided by the General Penalty Bylaw unless specific penalties are provided for by this bylaw.

34. A person who contravenes any provision of Section 7 as it pertains to any waste material other than hazardous waste is guilty of an offence and upon summary conviction shall be liable to a penalty as follows:

- (a) First Offence: \$50.00
- (b) All Offences thereafter: \$500.00.

35. A person who contravenes any provision of Section 7 as it pertains strictly to hazardous waste is guilty of an offence and, upon summary conviction, shall be liable to a penalty as follows:

- (a) First Offence: \$50.00
- (b) All Offences thereafter: \$500.00 each.

36. Any person who contravenes any provisions of Section 19 is guilty of an offence and, upon summary conviction, shall be liable to a penalty as follows:

- (a) All Offences: \$500 each.

37. In addition to any penalty levied under this bylaw or the General Penalty Bylaw, the offender shall also be responsible for all cost incurred to rectify any damages or untidiness created by his offence.

38. Notwithstanding Sections 32, 33 and 34, where a peace officer believes that a person has contravened the provisions of any of the section of this bylaw, he may serve or cause to be served upon such person a Notice of Violation which shall indicate thereon the section of the bylaw which has been contravened and the amount of the penalty to be paid as provided hereunder:

- (a) First Offence: \$50.00
- (b) All other offences: \$100.00 each.

34. A violator of any section of this bylaw, upon being served with a Notice of Violation, may during office hours, voluntarily pay the penalty at the Ituna Administration Centre.

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Mayor

\_\_\_\_\_  
Administrator

TOWN OF ITUNA BYLAW NO. 5-2009

SCHEDULE "A"

LANDFILL TIPPING FEES:

<u>Item</u>	<u>Per</u>	<u>Town/RM</u>	<u>Others</u>
<b>Pit Usage</b>			
<b>Household Garbage only</b>	Car	\$3.00	\$5.00
	1/4 - 1/2 ton	\$10.00	\$10.00
<i>*R.M. #246 ratepayers are entitled to 1 load of garbage per week free</i>	1 ton truck/16' Trailers	\$15.00	\$25.00
	3 ton truck/single axle	\$20.00	\$50.00
	Tandem Truck/dual axle	\$50.00	\$60.00
<b>Home Waste:</b> <i>(furniture, plastics, vinyl shop waste)</i>	1/4 - 1/2 ton	\$10.00	\$15.00
	1 ton truck/16' Trailers	\$15.00	\$35.00
	3 ton truck/single axle	\$20.00	\$50.00
	Tandem Truck/dual axle	\$50.00	\$60.00
<b>Concrete &amp; Construction Rubble with Rocks</b>	1/4 - 1/2 ton	\$15.00	\$20.00
	1 ton truck/16' Trailers	\$25.00	\$35.00
<b>Asphalt Shingles/Steel/wire mixed with wood, drywall with any combination not mentioned</b>	3 ton truck/single axle	\$40.00	\$60.00
	Tandem Truck/dual axle	\$75.00	\$115.00
<b>Waste Wood with other non-wood waste mixed in, construction, windows</b>	1/4 - 1/2 ton	\$15.00	\$20.00
	1 ton truck/16' Trailers	\$25.00	\$35.00
	3 ton truck/single axle	\$40.00	\$60.00
	Tandem Truck/dual axle	\$75.00	\$115.00
<b>Shingles</b>	1/4 - 1/2 ton	\$20.00	\$30.00
	1 ton truck/16' Trailers	\$40.00	\$60.00
	3 ton truck/single axle	\$60.00	\$80.00
	Tandem Truck/dual axle	\$90.00	\$125.00
<b>Non-Pit Usage:</b>			
<b>Clean Wood Waste/Trees</b>	1/4 - 1/2 ton	n/c	\$10.00
	1 ton truck/16' Trailers	n/c	\$35.00
	3 ton truck/single axle	n/c	\$50.00
	Tandem Truck/dual axle	n/c	\$60.00
<b>Composting Materials</b>	1/4 - 1/2 ton	n/c	\$10.00
	1 ton truck/16' Trailers	n/c	\$15.00
	3 ton truck/single axle	n/c	\$20.00
	Tandem Truck/dual axle	n/c	\$50.00
	Bagged grass clippings/leaves per bag	\$0.50	\$0.75
	Grass clippings/leaves bags emptied onto composting pile	n/c	\$0.50
<b>Metals/Steel</b>	1 item	\$5.00	\$5.00
	1/4 - 1/2 ton	\$20.00	\$25.00
	1 ton truck/16' Trailers	\$25.00	\$40.00
	3 ton truck/single axle	\$50.00	\$75.00
	Tandem Truck/dual axle	\$75.00	\$100.00
<b>Appliances/White Metal/washers/ dryers/stoves refrigerators and freezers (freon free), mattress or box spring Rugs, sofa sets, chairs, hide-a-bed Bikes, Barbeques</b>	Per item	\$5.00	\$10.00
	<b>Dishwashers</b>		
	<b>*No dumping of animal carcasses, hazardous materials and contaminated soils or tires</b>		

TOWN OF ITUNA BYLAW NO. 5-2009

SCHEDULE "B"

*RECYCLING FEE*

Residents shall be billed quarterly a fee in the amount of \$10.00 per residence or commercial property for the recycling program.