

## **TOWN OF LAC DU BONNET**

### **By-Law 19/20**

**BEING** a By-Law for waste management in the Town of Lac du Bonnet and to repeal By-Law's 01/98, 134/12, 07/18 and 09/19.

**WHEREAS** Section 250(2) of *The Municipal Act* provides that:

250(2) Without limiting the generality of Subsection (1), a municipality may for municipal purposes do the following:

- a) acquire, hold, mortgage and dispose of land, improvements and personal property, or an interest in land, improvements and personal property;
- b) construct, operate, repair, improve and maintain works and improvements;
- c) acquire, establish, maintain and operate services, facilities and utilities;
- d) enter into agreements with a person, with an agency of the Government of Manitoba or the Government of Canada, or with another municipality, including a municipality in another province, to do with or on behalf of the municipality anything the municipality has the power to do within the municipality;
- e) use municipal equipment, materials and labour to carry out private works on private property.

**AND WHEREAS** Section 252(1) of *The Municipal Act* provides that:

252(1) A municipality exercising powers in the nature of those referred to in clauses 250(2)(b), (c), and (e) may set terms and conditions in respect of users, including:

- a) setting the rates or amounts of deposits, fees, and other charges, and charging and collecting them;
- b) providing for a right of entry onto private property to determine compliance with other terms and conditions, to determine the amount of deposits, fees or other charges, or to disconnect a service; and
- c) discontinuing or disconnecting a service and refusing to provide the service to users who fail to comply with the terms and conditions.

**AND WHEREAS** the Council of the Town of Lac du Bonnet deems it expedient and in the best interests of the Town of Lac du Bonnet to implement a Waste Management System;

**NOW THEREFORE** the Council of the Town of Lac du Bonnet enacts as follows:

#### **1.0 NAME**

1.1 This By-Law shall be cited as "The Waste Management By-Law".

#### **2.0 DEFINITIONS**

2.1 In this By-Law, unless the context otherwise requires:

- a) "person" shall mean any individual and includes a corporation, firm, partnership, institution and association.
- b) "premises" shall mean a building or buildings including the associated land.
- c) "residential premises" shall mean single/two family dwellings.

- d) "multi-family residential premises" shall mean multi-family dwellings, apartments and condominium complexes.
- e) "garbage sticker" shall mean a sticker purchased pursuant to Section 6 of this By-Law.
- f) "town" shall mean the Town of Lac du Bonnet.
- g) "waste" shall mean all classes of waste set forth in Section 3 of this By-Law.
- h) "e-waste sticker" shall mean a sticker purchased pursuant to Section 6 of this By-Law.

### **3.0 CLASSES OF WASTE**

3.1 For the purposes of the By-Law the following classes of waste are hereby prescribed:

- a) "landfill waste" shall mean all discarded waste but does not include recyclable waste and yard waste.
- b) "recyclable waste" shall mean those wastes as accepted by the local recycling processors.
- c) "yard waste" shall mean leaves, grass clippings, garden and flower bed vegetation.
- d) "chipping waste" shall mean branches, leaves and grass clippings only (no pressure treated or painted wood) that may be dropped off at the chip site during the designated hours of operation.
- e) "e-waste" shall mean end of life electronic waste that includes but not limited to; computers, fax machines, modems, keyboards, printers, remote controls, mobile phones, chargers, batteries, stereos, televisions, etc.

### **4.0 REMOVAL AND DISPOSAL**

4.1 Persons occupying a residential premise who reside in a single-family or two-family dwelling shall place for collection the following classes of waste in the following:

- a) Landfill waste shall be placed in a garbage bag, a metal can or plastic can. Bags or cans must not exceed fifty (50) pounds in weight. Not more than two (2) garbage bags or cans of landfill waste per week per allowable residential premises. This limit may only be increased if a garbage sticker, as per section 6 of this By-Law, has been purchased and attached to the third and each additional bag or can placed at the curb for collection. If garbage bags are placed into cans the two (2) bag limit will still apply.
- b) Recyclable waste shall be placed in a semi-transparent blue recycling bag. Unlimited bags of recyclable waste weekly per allowable residential premises.
- c) Yard waste shall be placed in a paper yard bag not exceeding fifty (50) pounds in weight. Unlimited bags of yard waste weekly per allowable residential premises.

4.2 Allowable waste for curbside collection shall be placed for collection by 8:00 a.m. on the waste collection days, on the residential premises being serviced, immediately adjacent to the front property line and easily accessible from the street. Where the placement of the waste does not restrict or impede pedestrian or vehicular traffic, the waste may be placed between the property line and the road edge.

4.3 Persons occupying a residential premises who reside in a single-family or two-family residential premises who fail, refuse or neglect to comply with the placement of waste at the curb for collection as designated in Section 4.1 of this By-Law shall be provided a notice from the Town advising the waste disposal requirement has not been met. If the person occupying the residential premises fails, neglects or refuses to comply with the proper requirements on any

subsequent collection day or days, the Town or its designated officers shall discontinue the waste collection service until the proper requirements are met.

4.4 No person shall scavenge, pick through or remove solid waste that is placed in the street for collection unless he or she is the owner or occupant of the property or who has the permission of the owner or occupant of the property on which the waste is located.

4.5 In the event that the Town holds a free giveaway weekend section 4.4 does not apply to the specific items put out for giveaway.

## **5.0 PROHIBITED WASTE**

5.1 No person shall dispose of any class of waste in an unauthorized or illegal manner.

## **6.0 SURCHARGES**

6.1 Persons occupying a residential premise as defined in this By-Law and who may from time to time place for curbside collection a third and additional bag/can of landfill waste shall be required to purchase in advance a garbage sticker.

6.2 The purchase price of the garbage sticker shall be set by the Town by resolution of Council.

6.3 The form of the garbage sticker shall be approved by the Town and shall be available from the Town Office.

6.4 Third and each additional bag/can of landfill waste which has been placed at the curb for collection and does not have thereon a garbage sticker shall not be collected by the Town or its designated officers.

6.5 The Town may at its sole discretion waive the requirement for the provision of a garbage sticker on the third and each additional bag/can of landfill waste for a set period of time and date.

6.6 Persons occupying a residential premise as defined in this By-Law and who may from time to time place for curbside collection e-waste shall be required to purchase in advance an e-waste sticker.

6.7 The purchase price of the e-waste sticker shall be set by the Town by resolution of Council.

6.8 The form of the e-waste sticker shall be approved by the Town and shall be available from the Town Office.

## **7.0 RIGHT OF ENTRY TO PRIVATE PROPERTY**

7.1 The Town or its designated officers may enter upon any premises for any purpose related to the administration and enforcement of this By-Law.

## **8.0 LANDS TO BE KEPT CLEAN**

8.1 The owner or occupier of any premises shall cause same to be kept free of wastes. The Town or its designated officers may enter upon any such property for the purposes of removing any wastes allowed to continue thereon contrary to this By-Law, and the cost of such removal may be recovered from the owner or added to the tax roll of the subject property and collected in the like and same manner as property taxes.

## **9.0 UNAUTHORIZED HANDLING OF WASTE**

9.1 No person other than the owner or agent thereof, unless lawfully authorized to do so, shall pick over, interfere with, disturb, remove or scatter any wastes.

## **10.0 CONVEYANCE OF WASTES**

10.1 No person shall convey or cause to be conveyed any wastes in a vehicle that is not properly constructed and covered so as to prevent the wastes from leaving the vehicle while in transport.

10.2 No person shall allow any vehicle containing wastes of an offensive nature to stand in any location for more than fifteen minutes within Town.

#### **11.0 ENVIRONMENTAL MANAGEMENT AND EDUCATION PROGRAMS**

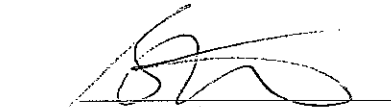
11.1 The Town may engage in activities to promote public knowledge and understanding of waste management and public participation in the prevention, reduction, reuse or recycling of waste and the recovery of material substances or energy from waste.

#### **12.0 OFFENSES AND PENALTIES**


12.1 If a person fails, omits or neglects to do any act or provide anything pursuant to this By-Law, the Town or any person on its behalf shall remedy the default and shall charge the cost of remedying the default.

- a) as taxes against the land in respect of which the offence occurred and recover the cost in the same manner as taxes are recovered; or
- b) against the person required to do the act or provide the thing and recover it as a debt due to the Town, by action in a court of competent jurisdiction.

**DONE AND PASSED AND ENACTED** as a By-Law of the Town of Lac du Bonnet in the Province of Manitoba this 10<sup>th</sup> day of September, A.D., 2020.



Mayor Gordon Peters



CAO, Darcey Wittig

Read a first time this 13<sup>th</sup> day of August, 2020.

Read a second time this 10<sup>th</sup> day of September, 2020.

Read a third time this 10<sup>th</sup> day of September, 2020.