

BYLAW NO. 1977

A BYLAW OF THE CITY OF NORTH BATTLEFORD IN THE PROVINCE OF SASKATCHEWAN TO REGULATE THE MANAGEMENT, COLLECTION, DISPOSAL AND RECYCLING OF WASTE AND TO REGULATE THE USE OF THE CITY WASTE MANAGEMENT FACILITY.

THE COUNCIL OF THE CITY OF NORTH BATTLEFORD ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as The Waste Management Bylaw.

Purpose

2. The purpose of this Bylaw is to protect the health and welfare of people and provide for the abatement of nuisances and protection of the environment by regulating and monitoring the collection, handling and disposal of waste and recyclable material within the City.

Definitions

3. In this Bylaw:

"automated collection" means the mechanical collection of waste in carts using vehicles specially designed for collection from such carts;

"big blue bin" means blue containers that the City may place at select locations for collection of certain recyclable material;

"bulky waste items" means items that cannot fit into a cart and include but are not limited to items such as mattresses, sofas, fridges, stoves and box springs;

"cart" means both household waste carts and recycling carts which are 360 litres (approximately 0.4 cubic metres) in volume, on wheels and designed for automated collection;

"City" means the municipal corporation of the City of North Battleford or the geographical area located within the boundaries of the City of North Battleford, as the context requires;

"city waste service" means household waste service, recycling service or such other service the City may provide, from time to time, for collection of waste from designated properties for transportation to a disposal site;

"collection day" means the day upon which the City shall provide the City waste service to a designated property;

"collection schedule" means the schedule of dates when City waste service is to be provided to the designated properties in a specified area of the City;

"collector" means a person employed by the City or by a Contractor to the City to collect waste;

"commercial cooking grease container" means an approved container used for disposal of commercial cooking grease;

"commercial premises" means a premises principally used for the conduct of a profession, business or undertaking, and includes any premises that is not a residence or the premises connected therewith, but does not include an industrial or institutional premises;

"commercial waste container" means an approved container for use at commercial premises, capable of automated collection;

"construction and demolition waste" means waste produced in the process of construction, demolition, or repairs to buildings and real property improvements and shall include, but not be limited to, earth, vegetation, and rock displaced during the process of construction and demolition;

"Council" means the Council of the City;

"dangerous object" means an object or material which presents a health or safety risk to a person including sharps waste, general medical waste, broken glass, fluorescent tubes, or sharp edged tin cans;

"designated property" means a building or buildings, intended for residential use with no more than four dwelling units, on a separately assessed parcel of land;

"dwelling" means a building used or intended for residential occupancy;

"dwelling unit" means one or more rooms that may be used as a residence, each unit having sleeping, cooking and toilet facilities;

"Director" means the Director of Public Works and Engineering for the City or his or her designate;

"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, labcoats and aprons, tubings, filters, towels and disposable sheets, but excludes biomedical waste;

"household hazard waste" means solid wastes from homes and residences that have properties that make them dangerous or capable of having a harmful effect on human health and the environment;

"household waste" means the types of unwanted waste originating from domestic activities at a residence as listed in Schedule "A" to this Bylaw that are set out for household waste service but does not include recyclable material or other material prohibited by this Bylaw;

"household waste cart" means the cart provided by the City to designated properties for the storage of household waste;

"household waste service" means the City waste service for collection of household waste from designated properties for transport to a disposal site;

"industrial premises" means a premises principally used for manufacturing, processing, assembling, cleaning, servicing, repairing, testing, storage, distribution, or warehousing of materials, goods or equipment;

"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 household waste, household hazardous waste and biomedical waste;

"institutional premises" means a premises principally used as a temporary place of abode and includes a hotel, motel, school, church, prison, senior citizens home, special care home, community home and hospital but does not include a residence as defined in this Bylaw;

"multi-unit residence" means a building or portion thereof designed for or occupied as more than four residences, but does not include an institutional premises;

"non-designated property" means any property that is not a designated property;

"occupant" means the person, and includes corporate and legal representative, who is in charge of a residence or property either as a resident or property manager;

"owner" means the registered owner of the property as registered at Information Services Corporation;

"person" mean a person as defined in *The Interpretation Act, 1995* (Saskatchewan);

"property" means a parcel of land registered at Information Services Corporation;

"putrescible" means waste that is capable of decomposing with sufficient rapidity so as to cause a nuisance from odours or gases, or that is likely to attract birds, insects, snakes, rodents, or other animals, or that may otherwise be a health risk;

"recyclable material" means material collected for the purpose of recycling or reuse as designated in Schedule "A";

"recycling cart" means the cart provided by the City to designated properties for the storage of recyclable materials;

"recycling service" means the City waste service for collection of recyclable material from designated properties for transport to a disposal site;

"residence" means a dwelling of any type as defined in the Zoning Bylaw;

"scavenge" means to search through, pick over or remove objects or waste set out for collection;

"special collection area" means an area determined by the Director where, because of special circumstances, normal collection practices are impractical;

"unacceptable waste" means waste listed in Schedule "B" to this Bylaw;

"waste" means any discarded organic or inorganic material, including household waste, recyclable material, household hazardous waste, bulky waste items and unacceptable waste that:

- (i) the owner or possessor thereof does not wish to retain;
- (ii) must be disposed of due to health reasons, or;
- (iii) must be disposed of to ensure the amenity of the area in which it exists is not adversely affected;

"waste container" means any container approved for waste collection for non-designated properties;

"waste management facility" means the Provincially approved landfill operated by the City for the disposal of waste located at SW15-44-16-W3.

Administration

4. The Director is authorized to:
 - (a) determine whether a property is a designated property;
 - (b) determine the types of city waste services provided;
 - (c) approve or set specifications for carts;
 - (d) specify the types of waste accepted at the City Waste Management Facility or at the City's big blue bins;
 - (e) specify the quantities, volume and weight limits and types of waste eligible for collection as part of the city waste service;

- (f) arrange schedules and processes for the city waste service;
- (g) grant approvals and permissions as set out this Bylaw;
- (h) establish systems for billing and collecting rates, fees and charges;
- (i) carry out inspections required to determine compliance with this Bylaw;
- (j) take any steps or carry out any actions required to enforce this Bylaw;
- (k) establish and approve policies and procedures with respect to the city waste service;
- (l) take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- (m) make such other decisions as may be required to carry out the purpose of this Bylaw in accordance with applicable legislation; and
- (n) further delegate the administration and enforcement of this Bylaw to Municipal Enforcement Officers.

COLLECTION AND DISPOSAL OF WASTE

Accumulation of Waste Prohibited

5. No owner or occupant of any land or building shall allow waste of any kind to accumulate in or on the land or building, except as permitted in this Bylaw.

Depositing Wastes on Public or Private Property

6. No person shall dispose of wastes anywhere in the City other than in a cart, waste container, at the Waste Management Facility or where determined by the Director.
7. A person who has disposed of waste on any land contrary to the provisions of this Bylaw, shall remove the said waste upon being directed to do so by the owner or occupant of the land, the Director, a Medical Health Officer, Public Health Officer, or a Peace Officer.
8. If the identity of a person who has placed waste on land contrary to the provisions of this Bylaw cannot reasonably be ascertained, the owner or occupant of the land shall remove the waste or cause the waste to be removed upon being directed to do so by the Director, a Medical Health Officer, Public Health Inspector or a Peace Officer.

CITY WASTE SERVICES

Designated Properties

9. The City shall provide all designated properties with city waste services and all designated properties shall use city waste services.
10. The City shall provide household waste services to each designated property once every two weeks.
11. The City shall provide recycling services to each designated property once every two weeks.
12. Notwithstanding any provisions in this Bylaw, in the event of circumstances beyond the control of the City, city waste services may be temporarily suspended.
13. City waste services shall occur based on a collection schedule, to be determined and amended from time to time, by the Director.
14. Designated properties will be assigned and delivered carts.
15. Where an owner or occupant of a designated property requests additional collections, the owner or occupant may make arrangements with the Director. Such additional collection costs will be the responsibility of the owner or occupant and billed accordingly.

Waste Containers

16. The owner or occupant of a designated property shall ensure that carts assigned to that designated property:
 - (a) are stored in a location at the designated property that is under the care and control of the owner or occupant of that designated property;
 - (b) are not stored on City property;
 - (c) are used to set out waste for city waste services;
 - (d) remain with that designated property and are used for only those purposes permitted in this Bylaw;
 - (e) are kept clean and sanitary;
 - (f) are maintained in good condition;
 - (g) are not damaged or altered in any way, including any alteration of the exterior; and
 - (h) are available to the City, its contractors or agents, within a reasonable time, for the purposes of inspection, maintenance or repair.

17. Carts used for city waste services:
 - (a) are not the property of the owner or occupant of the designated property; and
 - (b) may be removed by the City, its contractors or agents, at the direction of the Director.
18. The owner or occupant of a designated property is responsible for the loss of or damage to the carts assigned to that property and is responsible to advise the City of such loss or damage. Replacement costs for lost or damaged carts will be charged to the owner or occupant of the designated property to which the carts were assigned.

Handling and Disposition of Waste and Recyclable Material

19. An owner or occupant shall only store and set out waste generated from the property of that owner or occupant.
20. No person shall deposit waste in any cart or waste container without the consent of the owner or occupant of the property where such cart or waste container is located or assigned.
21. No person other than:
 - (a) the owner or occupant of a property to which a cart or waste container is located;
 - (b) a person permitted by the owner or occupant of a property to which a cart or waste container is located; or
 - (c) the City;shall remove any waste from a cart, waste container, a Waste Management Facility or a waste collection vehicle.
22. Every person receiving City waste services shall ensure the waste is prepared and placed in accordance with this Bylaw.
23. The owner or occupant of a designated property shall:
 - (a) thoroughly drain all household waste and wrap and securely tie it in paper or place it in a securely tied plastic bag;
 - (b) place fully quenched ashes in securely tied paper or plastic bag prior to disposal;
 - (c) ensure all household waste is bagged or bundled before placing in the cart;
 - (d) ensure that all sharp or pointed objects are wrapped or contained;

- (e) ensure all general medical waste, animal waste, dust particles and powdered materials are packaged in securely tied, double plastic waste bags;
 - (f) prepare eligible recyclable material in the following manner:
 - (i) empty and flatten all cardboard and paperboard and place loosely in the cart;
 - (ii) place shredded and loose paper in securely tied clear plastic bags;
 - (iii) rinse all household tin cans; and
 - (iv) empty plastic containers and tie plastic bags together.
24. No person shall:
- (a) pile waste above the top of a cart or waste container;
 - (b) overfill a cart or waste container so that the waste may fall to the ground;
 - (c) overfill a cart so that the lid cannot be fully closed;
 - (c) place waste on top of the cart or waste container;
 - (d) place waste on the ground near a cart or waste container; or
 - (e) permit or allow waste stored or set out for city waste service to create offensive odours or become untidy.
25. Waste may not be collected from a designated property if the cart:
- (a) is unclean and unsanitary;
 - (b) is improperly placed;
 - (c) is placed at a designated property other than the property to which that container was assigned;
 - (d) is not placed out at the scheduled time for collection;
 - (e) is not accessible by the waste collection vehicle for pickup;
 - (f) contains waste that is not properly prepared or is unacceptable;
 - (g) in combination with its contents, exceeds the maximum allowable weight of 136 kilograms; or
 - (h) is not an approved cart.

Waste and Recyclable Collection from Carts

26. Unless otherwise directed by the Director, every owner or occupant receiving city waste services shall place carts:
- (a) to not obstruct traffic in any way;
 - (b) in front of the designated property where the waste was generated;
 - (c) on the street with wheels against the curb, or as close as possible to the curb;
 - (d) during the winter months, on the street with wheels as close as possible to the edge of the snow/ice windrow;
 - (d) in an upright street level position with the arrows on the cart lid pointing towards the street;
 - (e) to allow a minimum 1.20 metres clearance, on either side, between the carts and any other obstacle or vehicle;
 - (f) to allow a minimum 3.6 metres clearance from any overhanging object;
 - (g) at the curb no later than 7:00 a.m. on collection day and shall remove the carts from the street as soon as possible after collection but no later than 7:00 p.m. the same day of scheduled collection.
27. Property owners or occupants who fail to remove the carts from the streets per requirement of Subsection 26(g) will be solely responsible for costs associated with any damages that may be caused by the City when conducting maintenance or street cleaning.
28. Where the Director has determined that placement of carts for front street pickup is not possible, a special collection plan for cart placement and pickup will be provided to those owners or occupants affected and those owners or occupants shall store and set out carts in accordance with the special collection plan and this Bylaw.
29. No person shall set out, cause to be set out or permit to be set out the following or similar type items for household waste services from a designated property:
- (a) bulky waste items;
 - (b) discarded automobile waste including automobile parts, tires, fluids, batteries, and other private vehicles;
 - (c) tree limbs, branches and twigs, whole shrubs or bushes, and portions of hedges;
 - (d) fences, gates, and other permanent and semi-permanent fixtures on the premises;

- (e) building materials and building wastes;
 - (f) animal carcasses or remains and cervid offal;
 - (g) dirt, rocks, cement, bricks, asphalt, gravel, sand and scrap metals;
 - (h) dangerous objects;
 - (i) hot ashes; or
 - (j) industrial, general medical and household hazardous waste.
30. No person shall set out, cause to be set out, or permit to be set out for recycling services from a designated property any material for recycling other than the allowable recyclable material as identified in this Bylaw.

Non-Designated Properties

General Provisions

31. (a) All waste from multi-unit residences, commercial, institutional and industrial premises within the City shall be disposed of at a Provincially approved waste disposal site or recycling centre.
- (b) No owner or operator of any commercial, institutional or industrial premises shall:
- (i) dispose of commercial cooking grease except in a commercial cooking grease container; or
 - (ii) fail to maintain a commercial cooking grease container in a clean and sanitary state.
32. Every owner of a non-designated property shall ensure that there are waste storage facilities on the non-designated property that are:
- (a) available to the owner and occupants of the non-designated property;
 - (b) sufficient in size to store all waste generated at the non-designated property considering the volume of waste generated on the non-designated property; and
 - (c) emptied with sufficient frequency to meet the requirements per Section 35 of this Bylaw.
33. Every owner of a non-designated property shall have a waste management plan for the property which shall include:
- (a) an arrangement for waste storage under the care and control of the owner or occupant(s) of the non-designated property that is accessible for use by the owner or occupant(s) of the non-designated property;

- (b) an arrangement for regular removal and disposal of waste to an appropriate disposal site.
34. Every owner of a non-designated property shall, upon request by the City, provide a copy of the waste management plan for that non-designated property.
35. Every owner of a non-designated property shall remove waste from the property in such a manner and with such frequency that the waste storage area meets the following requirements:
- (a) the waste storage area shall be kept clean and tidy;
 - (b) the waste storage area shall be secured against theft or loss;
 - (c) the waste storage area shall be maintained in good condition;
 - (d) the waste storage area shall not create offensive odours; and
 - (e) the waste storage area shall not attract insects, rodents, vermin or other disease vectors.

Other Waste

36. (a) Any owner or contractor carrying out the construction, alteration, or demolition of a building, structure, or landscaping on any property shall:
- (i) place all waste into a waste container or enclosure;
 - (ii) in a timely manner, dispose of all waste resulting from the construction, alteration or demolition so as to ensure there is no unreasonable accumulation of waste on the property during the construction, alteration or demolition;
 - (iii) take all reasonable steps as may be necessary to prevent the waste from being dispersed, by wind or in any other manner, on or around the property or surrounding properties during the construction, alteration or demolition; and
 - (iv) upon completion of the construction, alteration, or demolition, clear the property of all waste and litter.
- (b) If such waste is not removed by the owner or contractor, the City may remove the waste, and the costs of doing so are a debt due to the City by the owner or contractor.
37. (a) No owner or operator of any vehicle leaving property where the construction, alteration or demolition of a building, structure or landscaping is occurring shall:

- (i) allow any earth or waste to be deposited upon a street or sidewalk by or from such vehicle; or
 - (ii) fail to remove from the street or sidewalk any and all earth or waste deposited by or from such vehicle.
- (b) If such earth or waste is not removed from the street or sidewalk by the owner or operator of the vehicle, the City may remove the earth or waste, and the costs of so doing are a debt due to the City by the owner or operator.
38. The owner or person in possession of any animal carcass may make arrangements with the Director for the collection and disposal of the carcass. Costs incurred by the City in relation to the removal are a debt due to the City by the owner or person.

Conveyance of Waste Through the City

39. (a) No person who transports or causes to be transported any waste in the City shall allow the waste or any portion of it to escape from the vehicle.
- (b) No person shall transport or cause to be transported any waste in the City unless proper measures, including at least one of the following, are taken to prevent the waste or any portion of it from escaping from the vehicle:
- (i) the waste is in a covered container;
 - (ii) the waste is covered with a tarpaulin or other suitable covering; or
 - (iii) the waste is securely tied down or fastened.
40. (a) No person shall transport or cause to be transported in the City any offal from slaughterhouses, butcher shops, or other locations or any swill or waste of an offensive nature unless the part of the vehicle containing the waste is:
- (i) watertight;
 - (ii) constructed in such a manner that it is impossible for any part of the contents to escape;
 - (iii) covered so that flies cannot come in contact with the contents; and
 - (iv) constructed in such a manner that offensive odours cannot escape.
- (b) No person shall allow any vehicle transporting waste referred to in Subsection (1) to stand in the street longer than is absolutely necessary, and in any case for no more than thirty minutes, except in the case of an emergency.
41. No person shall leave any vehicle carrying a full or partial load of waste parked overnight on a street or in any residential area.

WASTE MANAGEMENT FACILITY

42. The City shall designate an area as a waste management facility for the disposal of waste material.
43. The City shall ensure that the waste management facility is enclosed by a fence with a suitable gate to provide ingress and egress.
44. No person shall be permitted to enter the waste management facility except a person operating a vehicle for the purpose of delivering waste.
45.
 - (a) The hours of operation of the Waste Management Facility shall be determined by the Director and posted at the Waste Management Facility.
 - (b) No person shall deliver any waste to the Waste Management Facility except during the hours of operation, unless otherwise authorized by the Director.
46. Every person who attends at the Waste Management Facility shall:
 - (a) report to the weigh scale;
 - (b) comply with all instructions, directions and signs;
 - (c) remain at the waste management facility only so long as reasonably required to unload the waste contained in the vehicle;
 - (d) only deliver waste to the Waste Management Facility that is permitted for disposal in the City's Permit to Operate a Disposal Ground issued by the Province of Saskatchewan; and
 - (e) unless other arrangements have first been made with the City, pay the applicable fee for disposal at the Waste Management Facility per the fee schedule shown as Schedule "C" to this Bylaw.
47. The City may deny entry to the Waste Management Facility if:
 - (a) the person requesting entry has neglected or refused to pay any fees assessed pursuant to this Bylaw;
 - (b) the person requesting entry has waste that is not accepted at the landfill; or
 - (c) the person requesting entry is using abusive or threatening language or gestures, or otherwise behaving in an unsafe manner.
48. The City shall measure and record all deliveries of waste and may inspect all waste brought to the Waste Management Facility to determine if the load contains unacceptable waste or recyclable material.
49. Where a person disposes of waste or recyclable material at the Waste Management Facility contrary to the terms of this Bylaw, the City may remove the

waste from the Waste Management Facility and the costs of so doing are a debt due to the City from the person who disposed of the waste.

50. No person shall remove waste from the landfill without the written consent of the Director.

BIG BLUE BINS

51. The City may arrange for placement of big blue bins at specific locations for collection of certain recyclables.
52. No person shall deposit or dispose of materials at a big blue bin other than those materials permitted by signage located at the big blue bin.

RATES AND FEES

53. The City shall charge the rates per Schedule "C" for waste disposed of at the Waste Management Facility.
54. Where an owner or occupant of a designated property has an account with the City for water service or sewer service, the City shall charge the owner or occupant for household waste service and recycling service on the same City account that is used for that designated property for water service or sewer service. Failure to pay the household waste service fee or recycling service fee portion of the water or sewer service utility bill will result in a discontinuation of water service.

OFFENCES AND PENALTIES

Offences

55. Every person commits an offence who:
 - (a) allows waste of any kind to accumulate on or in any land or building other than as permitted in this Bylaw;
 - (b) prepares, places or disposes of waste other than as permitted in this Bylaw;
 - (c) fails to store, maintain, and keep clean and sanitary assigned carts to a designated property;
 - (d) causes or permits any loss of or damage to a City owned cart;
 - (e) uses or causes to be used a City owned cart for purposes other than those permitted in this Bylaw;
 - (f) leaves a cart on a street or any City property for more than 24 hours;

- (g) being a person other than the owner, operator or occupant of a property to which a cart or waste container are located:
 - (i) disturbs or disrupts the contents of a cart or waste container;
 - (ii) removes any waste, object or material from a cart or waste container; or
 - (iii) deposits waste in any cart or waste container without the consent of the owner or occupant of the property;
 - (h) places non recyclable waste in a recycling cart or bin designated for recyclables;
 - (i) as an owner of a non-designated property, fails to ensure waste storage arrangements are made per requirements of this Bylaw;
 - (j) being the owner or operator of a vehicle used in carrying out the construction, alteration or demolition of a building, structure or landscaping of any property, 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 from the street or sidewalk;
 - (k) fails to take proper measures to prevent waste from escaping from a vehicle used to transport waste, or allows waste to escape from a vehicle used to transport waste; and
 - (l) fails to comply with all instructions, directions, signs and regulation pertaining to operations at the designated Waste Management Facility.
56. No person shall:
- (a) fail to comply with an order made under this Bylaw;
 - (b) obstruct or hinder the Director or a Municipal Enforcement Officer acting under this Bylaw; or
 - (c) fail to comply with any other provision of this Bylaw.

Penalties

57. (1) Any person who contravenes a provision of Section 55 is guilty of an offence and liable on summary conviction to a fine:
- (a) for the first offence, of \$100.00;
 - (b) for a second offence, \$200.00; and
 - (c) for a third or subsequent offence, \$300.00.

- (2) Notwithstanding Subsection 57(1), any person who contravenes the provision of Subsection 55(b) is guilty of an offence and liable on summary conviction to a fine:
- (a) for an individual:
 - (i) first offence, of \$250;
 - (ii) second offence, of \$500; and
 - (iii) third or subsequent offence, of \$1,000.
 - (b) for a corporation:
 - (i) first offence, of \$1,000;
 - (ii) second offence, of \$2,500; and
 - (iii) third or subsequent offence, of \$5,000.
58. (a) A Municipal Enforcement Officer may issue a notice of violation to any person committing a first or second offence under Section 55. The notice shall require the person to pay to the City the penalty specified in Section 57.
- (b) The penalty may be paid:
- (i) in person, during regular office hours, to the cashier at City Hall, North Battleford, Saskatchewan;
 - (ii) by deposit, at the night deposit box at the north east entrance to City Hall, North Battleford, Saskatchewan; or
 - (iii) by mail addressed to the City of North Battleford, City Hall, Box 460, North Battleford, Saskatchewan, S9A 2Y6.
- (c) If payment of the penalty is made prior to the date when the person contravening the Bylaw is required to appear in court to answer to the charge, the person shall not be liable to prosecution for that offence.
- (d) Notwithstanding Subsection 58(a), if a municipal enforcement officer is of the opinion that it is in the public interest to compel a person who has contravened a provision of this Bylaw for the first time to appear before a justice, the municipal enforcement officer may issue a summons that requires the person to appear before a justice without the alternative of paying the specified amount.
- (e) If in the opinion of the prosecutor it is appropriate, the prosecutor may, on or before the court appearance date, permit the person mentioned in Subsection 58(d) to pay the specified amount to avoid prosecution.

Early Payment

59. (a) If the penalty imposed under a notice of violation is paid within 14 calendar days of the date of the notice of violation, the amount of the penalty shall be

discounted to the sum of \$75.00 for the first offence and \$150.00 for a second offence.

- (b) The date of the payment shall be determined as follows:
 - (i) for payment in person, the date of payment shall be the date payment is received by the City;
 - (ii) for payment by deposit, the date of payment shall be the date payment is deposited in the depository at City Hall; or
 - (iii) for payment by mail, the date of payment shall be the federal post marked date on the remittance.
- (c) Upon payment, the person contravening the Bylaw shall not be liable to prosecution for that offence.
- (d) No discount will apply to those penalties imposed under notice of violation per Subsection 57(2) of this Bylaw.

Third and Subsequent Offences

- 60. (a) No municipal enforcement officer may issue a notice of violation in case of a third or subsequent offence.
- (b) For the purposes of this Part, an offence shall be deemed to be a first offence if the offender has not been convicted of the same offence or made a voluntary payment for a notice of violation in respect of the same offence within the 12 months immediately preceding the commission of the alleged offence.

General Penalty

- 61. Except where a penalty is specifically provided in this Bylaw, every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction:
 - (a) in the case of an individual, to a fine of not more than \$10,000.00;
 - (b) in the case of a corporation, to a fine of not more than \$25,000.00; and
 - (c) in the case of a continuing offence, to a maximum daily fine of not more than \$2,500.00 per day.

Other Provisions

- 62. A conviction of an offence of failing to comply with an order does not relieve the person convicted from complying with the order and the convicting judge or justice may, in addition to any fine imposed, order the person to do any act or work, within

- a specified time, to comply with the order with respect to which the person was convicted.
63. The levying and payment of any fine or the imprisonment for any period provided in this 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.
 64. 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.
 65. 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.
 66. Notwithstanding the provisions of this Bylaw, the Director may suspend or discontinue the collection of household waste or recyclable material if the owner or occupant of a designated property contravenes a provision of this Bylaw.
 67. Any Schedule to this Bylaw may be amended when deemed necessary, by resolution of Council.
 68. Bylaw No. 1788 and any amendments thereto are hereby repealed.
 69. This Bylaw shall come into force and take effect on the date of the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 28th DAY OF APRIL, A.D. 2014.

READ A SECOND TIME THIS 28th DAY OF APRIL, A.D. 2014.

READ A THIRD TIME AND PASSED THIS 28th DAY OF APRIL, A.D. 2014.

"Ian Hamilton"
MAYOR

"Debbie Wohlberg"
CITY CLERK

SCHEDULE "A"

HOUSEHOLD WASTE

1. The following items are the types of materials that would be considered household waste for the purposes of this Bylaw:
 - (a) Plastics not included in the list of recyclable materials. Such plastics would include Styrofoam (egg cartons, packaging, etc.), chip bags, cellophane, food wrap, soiled plastic, clear food containers, dishes, cutlery, bubble wrap, strapping, string, toothpaste tubes, antifreeze containers, toys, wading pools, garden hoses, plastic pipe, outdoor lawn furniture, clothes hangers.
 - (b) Paper not described in the list of recyclable materials. Such paper would include disposable diapers, dirty or greasy paper or cardboard, sanitary tissues, soiled paper towels, spiral containers (frozen juice cans, powdered drink containers, waxed or plasticized paper (pet food bags), confetti paper and heavily dyed or coloured construction paper.
 - (c) Metal such as foil wrap and clothes hangers.
 - (d) Putrescible or food wastes, table scraps, spoiled food, peels, etc.
 - (e) Glass such as jars, bottles, vases, window panes, etc.
 - (e) Other items such as clothing, shoes, floor sweepings, sawdust, vacuum cleaner bags, animal waste, kitty litter and ashes.

RECYCLABLE MATERIALS

2. The following items are considered recyclable materials for the purposes of this Bylaw:
 - (a) Corrugated cardboard
 - (b) Boxboard
 - (c) Paper such as newsprint, polycoat, fine paper, magazines, catalogues, soft cover books, photocopier paper, etc.
 - (d) Aluminum and household tin cans, aluminum foil and pie plates
 - (e) Provincially legislated beverage containers like milk cartons and jugs, juice cartons, boxes and tetra-pak containers
 - (f) Recyclable plastic containers #1 through #7 that have contained non-hazardous waste products
 - (g) Clean plastic bags, clean plastic food wrap and plastic product wrap

SCHEDULE "B"**UNACCEPTABLE WASTES****Household Hazardous Wastes**

1. The following items are considered household hazardous wastes for the purposes of this Bylaw:
 - (a) Adhesives - contact cement, caulking, sealer, carpet and linoleum adhesives, glue
 - (b) Aerosols - hair spray, insect repellent, lubricant spray, furniture cleaner
 - (c) Automotive - used engine oil, used engine oil filters, antifreeze, batteries, carburetor cleaners, oil fuel, windshield cleaner
 - (d) Cleaners - oven cleaner, toilet bowl cleaner, glass cleaner, spot remover, disinfectants, car wax
 - (e) Corrosives - drain cleaner, engine degreaser, ammonia, battery acid, sulfuric acid
 - (f) Fuels - gasoline, diesel, kerosene, lamp oil, oil/gas mixture
 - (g) Mercury - mercury, thermometers, thermostats
 - (h) Oxidizers - chlorine, bleach, pool chemicals, fertilizers, hydrogen peroxide, septic tank chemicals
 - (i) Poisons - lawn herbicides, garden chemicals, rat poison, gopher killer, insecticides
 - (j) Solvents - paint thinner, acetone, varsol, alcohol, benzene, xylene, naphtha

2. The following items are other unacceptable wastes for the purposes of this Bylaw:
 - (a) Paint
 - (b) Electronics
 - (c) Automotive batteries, tires, and propane cylinders
 - (d) Used oil/antifreeze and used oil filters
 - (e) Fluorescent bulbs
 - (f) Yard/garden waste and compost

SCHEDULE "C"
Bylaw No. 1977

WASTE MANAGEMENT FACILITY - SCHEDULE OF FEES

Description	Measure	Rates (\$CDN)*	Notes
Entrance	Per entrance	\$ 5.00	1
Sorted Waste (Household, not requiring special handling) - discount applied with proof of residency	Per tonne	125.00	2
Sorted Construction & Demolition Waste – (painted wood, drywall, shingles, etc) - no discount applied	Per tonne	125.00	
Batteries	Per item	No Charge	3
Automotive – Recycling (oil, oil containers, oil filters, antifreeze, solvent)	N/A	No Charge	3
Compostable materials	N/A	No Charge	3
Clean Soil	N/A	No Charge	3
Asbestos - no discount applied	Per tonne	600.00	4
Carcasses – (no cattle) - no discount applied	Each	20.00	
Appliances containing refrigerants (refrigerators, freezers, air conditioners) - no discount applied	Per appliance	20.00	
Sorted Construction & Demolition Recyclables (Clean metal, masonry, brick, asphalt, concrete, trees, shrubs, un-painted wood, also includes stoves, washers, dryers) no discount applied	Per tonne	15.00	
Big Blue Bin Recyclables - City residential	Per item	No Charge	1
Big Blue Bin Recyclables – Commercial - no discount applied	Per tonne	125.00	
Tires			
Passenger Car/Light Truck (P,LT) - no discount applied	Per tire	9.00	
Commercial Truck tires (semi, bus, etc) - no discount applied	Per tire	18.00	
Agriculture - no discount applied	Per tire	30.00	

- * A 33% City discount will only apply to Sorted Waste (household) from Residential Properties within City limits. The discount will be applied to the bill when proof, of the City address, where the waste was produced is provided. The following pieces of evidence that clearly identify the person and address responsible for the waste will be accepted at the scale: Valid Driver's License with street address; piece of government mail such as a tax notice or utility bill; or a signed declaration of the property owner stating the address where the waste originated.

NOTES:

1. No City discount applies to the entrance fee. Entrance fees are in addition to those calculated for waste disposal. **EXCEPTION:** The entrance fee will be waived for residents of the City bringing in material solely for recycling and placement in the big blue bins.
2. A 100% surcharge will apply for unsorted waste loads containing large quantities of recyclable materials (cardboard, clean metal, wood, shrubs, etc.) contaminated with garbage. The penalty rate is \$250.00 per tonne with a minimum charge of \$500.00.
3. Entrance fee will be waived only if the load strictly contains those items classified as "no charge" (compostable materials, clean soil, batteries, and automotive).
4. Special arrangements must be made with the City in advance of transporting asbestos and hydrocarbons to the Waste Management Facility. A minimum charge of \$50 will be applied. See the City policy for disposing of asbestos and hydrocarbons before delivery.

Disposal of waste in the City of North Battleford is subject to provincial regulations for operating a waste disposal ground.

The City reserves the right to ban any firm from bringing solid waste into the Waste Management Facility if determined the firm continually brings in large quantities of recyclable material for disposal. A large quantity of recyclable material is defined as that which constitutes at minimum 10% of the load brought to the Waste Management Facility for disposal.

The allowance of discounts, waiving of fees, surcharging, etc. will be at the sole discretion of the City-employed Waste Management Facility Operator.