

BYLAW NO. 4-2018

A BYLAW FOR THE TOWN OF SOUTHEY IN THE PROVINCE OF SASKATCHEWAN TO ESTABLISH AND REGULATE THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, RECYCLING AND OTHER REFUSE.

The Council of the Town of Southey in the Province of Saskatchewan enacts as follows:

1. The purpose of this Bylaw is to regulate the collection, removal, and disposal of waste accumulated within the Town of Southey limits and to levy service fees.

DEFINITIONS

2. For the purpose of this Bylaw, the following words shall have the meaning given herein:
 - a) "ashes" shall mean the residue of any substances used as fuel;
 - b) "automated collection" means the mechanical collection of waste in carts using vehicles specially designed for collection from such carts;
 - c) "carts" means recycling carts and garbage carts;
 - d) "collection day" means the day upon which the Town or one of its agents shall provide the town waste service to a designated property;
 - e) "contaminated soil" means soil that has become contaminated with petroleum hydrocarbons. For the purpose of this Bylaw refined petroleum hydrocarbons includes any mixture of hydrocarbons that is or could be used as a combustible fuel, including gasoline, diesel fuel, aviation fuel, kerosene, naphtha, fuel oil and heating oil and lubricating oils; and unrefined petroleum hydrocarbons includes any mixture of hydrocarbons acquired through petroleum exploration and transportation before the refining process;
 - f) "demolition material" shall mean and include materials from excavation, building repair or alteration, debris from any building removed, destroyed by fire or any other cause;
 - g) "designated area" means separate areas within the waste disposal ground that are set aside for the disposal of particular types of waste which are identified either by signs or by the Town Representative;
 - h) "designated property" means a building or buildings intended for residential use or such buildings as the Administrator shall determine from time to time;
 - i) "garbage" means the types of unwanted household waste that is set out for garbage service but does not include recyclable material or other material that is prohibited by this Bylaw;
 - j) "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 garbage;
 - k) "landfill" means the municipal waste disposal site Touchwood Regional Landfill located outside of Raymore, SK.
 - l) "occupant" means the person, and includes corporate and legal representative, who is in charge of a dwelling unit or property either as a resident or property manager;
 - m) "owner" means the registered owner of the property as registered at Information Services Corporation;
 - n) "recyclable material" means the materials designated by the Town's contract or agent;
 - o) "waste" means garbage, recyclable material, yard waste, organic material and bulky waste items;

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- p) "yard waste" means waste from gardening and includes grass, leaves, plants, tree and hedge clippings.

GENERAL

3. The Town of Southey shall employ or enter into a contract with a person(s) or contractor as may be deemed necessary for the collection, removal, and disposal of waste and recyclables accumulated within the Town limits.
4. Every person receiving waste services shall ensure his or her waste meets the following requirements;
 - a) All garbage shall be securely bagged or bundled in the container;
 - b) All recyclable material shall be unbagged in the container;
 - c) All waste shall fit in the cart with the cart lid closed;
 - d) All waste shall be drained free of water before it is placed inside the container and
 - e) General medical waste, animal waste, dust particles and powered materials shall be packaged securely tied, double plastic garbage bags.
5. No person shall set out a container for town waste service at a set out location before 6:00p.m. on the day before the collection day.
6. Where an owner or occupant has waste to be set out, the owner or occupant shall set it out at the curb in front of the designated property not later than 7:00 a.m. on the collection day.
7. No person shall cause or permit a container or uncollected waste to remain at the set out locations after 12:01 a.m. of the day following the collection day. Carts must be rolled back onto owner or occupant designated property in a sheltered area.
8. No person shall permit or allow waste stored or set out for town waste service to create offensive odours or to become untidy.
9. Every owner or occupant receiving town waste services shall meet the following requirements when setting out waste:
 - a) the container shall be set out so that it is not obstructing traffic in any way;
 - b) the container shall be placed in front of the property with the wheels to the curb in an upright position;
 - c) be 1.2 meters or more from any object on either side of the container
10. No person shall set out, cause to be set out or permit to be placed in the recycling container and set out for recycling service any material for recycling other than the recyclable material identified in this Bylaw.
11. Garbage or recyclables not placed in proper containers, or dealt with as set out in this bylaw will not be picked up by the authorized person(s) or contractor. The Town of Southey at the expense of the owner will remove garbage and recyclables allowed to accumulate through noncompliance within the regulations of this bylaw.

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12. The town of its collector will not be responsible for any damage to roads or infrastructure on private property resulting from legitimate operation of town waste services during collection activity at that private property.

RATES AND FEES

13. The town shall charge the rates set out in Schedule "A" for waste collection and Schedule "B" for recyclable collection for commercial waste management. The collection fees shall charge the owner or occupant for services on the same account that is used for water and sewer service.
14. Every owner or occupant of a designated property shall pay the monthly waste collection and monthly recycling fee even where the owner or occupant does not set out any containers for collection.
15. Where a customer fails to pay the account with the Town of Southey the town may add the unpaid charges for collection services to the tax roll of the designated property, in such a manner as permitted by the Municipalities Act.

OFFENCES AND PENALTIES

16. If any person fails, neglects or refuses to comply with this bylaw, the Council at the expense of the person may carry out remedial action in default and the local governing authority may recover expenses incurred by action in any court of competent jurisdiction or through municipal taxes.
- a) Every person who contravenes any provision of this bylaw or fails to comply therewith is guilty of an offense and liable on summary conviction to the penalty prescribed in this section.
 - b) An individual who commits an offense is liable:
 - (i) For the first offense, a fine of \$25.00 and further fines of not more than \$5.00 for each day during which the offense continues;
 - (ii) For the second offense or a subsequent offense, to a fine of not more than \$50.00 and further fines of not more than \$5.00 for each day during which the offense continues.
 - c) A corporation which commits an offense is liable:
 - (i) For a first offense, to a fine of not more than \$500.00 and to a further fine of not more than \$25.00 for each day during which the offense continues;
 - (ii) For a second offense or subsequent offense, a fine of \$1,000.00 and to a further fine of not more than \$25.00 for each day during which the offense continues.
17. The whole or any part of a sum payable hereunder by an owner or occupant that remains unpaid on December 31 of the year in which the sum became payable shall be added to and from part of the taxes on the land and building in respect of which the collection, removal or disposal is done.
18. Bylaw #5-1990 and Bylaw #6-1996 are hereby repealed.

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19. This Bylaw shall come into force and take effect on the date of the final passing thereof.



Mayor



Administrator

Seal



**TOWN OF SOUTHEY
REFUSE SERVICE
COLLECTION DAYS AND RATES
SCHEDULE "A" BYLAW #4-2018**

1. The collection day for the waste collection service shall be set on a weekly basis, namely each Wednesday. Should there be an interruption of service due to weather, town emergency or statutory holiday notification will be posted at the Town Office and Canada Post building as well as on the Town Website.
2. A monthly fee of \$5.00 shall be charged to the owner or occupant of ALL designated properties within the Town of Southey that have the water services connection turned on;
3. The Monthly fee for refuse collection will not be charged in the following instances:
 - a) During the period of a temporary vacancy in a rental property where the owner has returned the waste collection bin to the Public Works compound during regular working hours, has advised the Administration Office of the date the bin was returned and the serial number of the bin. Should the owner wish to have the bin picked up by the Public Works staff, there will be a pickup charge of \$10.00.
 - b) Residents going on vacation for more than 60 consecutive days may request that the waste collection service be discontinued during the period of their absence. The cart may be taken to the Public Works compound during regular working hours and the town office is to be advised of the serial number of the cart and the date it was delivered. Should the owner or occupant of the designated property wish for the Public Works staff pick up and on their return, return the bin to their residence, there will be a \$10.00 pick up and \$10.00 return charge.

**TOWN OF SOUTHEY
RECYCLE SERVICE
COLLECTION DAYS AND RATES
SCHEDULE "B" BYLAW #4-2018**

1. The collection day for the waste collection service shall be set on a bi-weekly basis, beginning January 2, 2018, namely every second Tuesday. Should there be an interruption of service due to weather, town emergency or statutory holiday notification will be posted at the Town Office and Canada Post building as well as on the Town Website.
2. A monthly fee of \$5.00 shall be charged to the owner or occupant of ALL designated properties within the Town of Southey that have the water services connection turned on;
3. The Monthly fee for recycle collection will not be charged in the following instances:
 - a) During the period of a temporary vacancy in a rental property where the owner has returned the recycle collection bin to the Public Works compound during regular working hours, has advised the Administration Office of the date the bin was returned and the serial number of the bin. Should the owner wish to have the bin picked up by the Public Works staff, there will be a pickup charge of \$10.00.
 - b) Residents going on vacation for more than 60 consecutive days may request that the recycle collection service be discontinued during the period of their absence. The cart may be taken to the Public Works compound during regular working hours and the town office is to be advised of the serial number of the cart and the date it was delivered. Should the owner or occupant of the designated property wish for the Public Works staff pick up and on their return, return the bin to their residence, there will be a \$10.00 pick up and \$10.00 return charge.