

**TOWN OF DRUMHELLER  
BYLAW 06.16**

Being a Bylaw of the Town of Drumheller, in the Province of Alberta, to establish a bylaw to outline the provision of Solid Waste Management.

**WHEREAS** pursuant to the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of the people and the protection of the people and premises, nuisances, services provided by or on behalf of the municipality and

**WHEREAS** the Municipal Government Act also provides that a Council may pass bylaws to establish a system for the collection, removal and disposal of garbage and waste;

**NOW THEREFORE** the Municipal Council of the Town of Drumheller, in the Province of Alberta, duly assembled in a regular meeting, enacts as follows:

**1. TITLE:**

This Bylaw will be cited as "The Solid Waste Management Bylaw".

**2. DEFINITIONS**

- a) "Ashes" means cold residue from the burning of wood, coal and other like material for the purpose of cooking, heating buildings and disposition of waste combustible materials.
- b) "Automated Collection" means the collection of waste by a system of mechanical lifting and tipping of receptacles into specifically designed vehicles.
- c) "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 safety concerns as well as risks to human health and includes:
  - i. Human anatomical waste;
  - ii. Infectious human waste;
  - iii. Infectious animal waste;
  - iv. Blood and body fluid waste; and
  - v. Medical sharps, such as needles, syringes, blades or other clinical laboratory material capable of causing punctures or cuts.
- d) "Boulevard" means:
  - i. The strip of land between the curb and the sidewalk and between the sidewalk and the property line, or;
  - ii. Where there is no curb, the strip of land between the near edge of the road and the property line.

- e) "Building Waste" means all produced in the process of constructing, demolishing, altering or repairing a building and shall include, but not be limited to soil, vegetation and rock displaced during the process of building.
- f) "Bylaw Enforcement Officer" means an appointed Bylaw Officer or Community Bylaw Enforcement Officer or Peace Officer.
- g) "Bylaw violation tag" is a ticket or summons issued for an allegation of a bylaw infraction, is issued by a peace officer and only enforceable in the Town.
- h) "Chief Administrative Officer" means the CAO for the Town of Drumheller or a person appointed by the CAO to oversee the Engineering and Infrastructure Services Department and/or their duly authorized delegate, authorized agent or representative.
- i) "Collection Day" means the day which is scheduled by the Chief Administrative Officer for municipal collection of Solid Waste.
- j) "Collector" means a person or corporation who collects waste within the Town for and on behalf of the Town.
- k) "Commercial Bin" means a bin used for the storage of waste materials generated by the industrial, commercial or institutional sector that is collected by a Contractor and approved by the Chief Administrative Officer.
- l) "Commercial Premises" means a premise which:
  - i) houses a waste generator producing an average volume equivalent to more than five (5) bags of solid waste per week;
  - ii) has activity which is likely to be, but not limited to Institutional, Commercial or Industrial in nature;
  - iii) is not regularly a residential dwelling or condominium;
  - iv) is any premises which is an apartment consisting of more than four (4) self-contained suites;
  - v) has, at the sole discretion of the Chief Administrative Officer, been otherwise described as commercial and therefore not entitled to residential waste collection and removal.
- m) "Cubic Meter" for the purposes of collection shall be one Cubic Meter of volume of solid waste.
- n) "Curb" means the actual curb, if there be one and if there is no curb in existence, shall mean the division of roadway between that part intended for the use of vehicles and that part intended for the use of pedestrians.
- o) "Exclusive Franchise" means a contractual agreement between the Town and a single Contract Hauler, for a fixed time period, for the removal of solid waste from

commercial premises. At the discretion of the Town, the description of solid waste shall be expanded to include the removal of recyclable and compostable materials.

- p) "Food Waste Disposal Unit" means an electrically operated unit intended to be used with kitchen sinks, designed to grind garbage into a state suitable for discharge into the sanitary sewer system.
- q) "Garbage" means waste bi-products produced from household and commercial process and can be composed of organic and inorganic material.
- r) "Hazardous Waste" means any substance or thing that falls within the definition of Hazardous Waste in Schedule 1 of the Alberta Regulation of July 6, 1999 192/96, the Waste Control Regulation.
- s) "IC&I Waste" means waste materials generated from the industrial, commercial or institutional sector.
- t) "Industrial waste" is the waste produced by activity which includes any material that is rendered useless during a manufacturing, industrial or variety of commercial processes or operations such as that of, but not limited to, factories, industries, mills, construction activities, mines and includes scrap metals, oil, solvents, chemicals, sewage, solids, liquids or gases held in containers and general trash associated to commercial operations.
- u) "Industrial waste manifest" is a document that identifies and characterizes the waste a person is in possession of, the origin of the waste, the date the carrier acquired the waste and the name of the carrier of the waste.
- v) "Lane" means a narrow roadway intended chiefly to give access to the rear of buildings and parcels of land.
- w) "Leaf and Yard Waste" means grass clippings, leaves, brush, twigs, house and garden plants, sawdust and wood shavings or other similar items as designated by the Chief Administrative Officer.
- x) "Manual Collection" means collecting waste by manually tipping cans or lifting bags into a waste collection vehicle.
- y) "Material Recycling Facility" "MRF" means both of the material recycling facilities located at the Drumheller and District Regional Landfill which are approved to accept uncontaminated recyclable material.
- z) "Occupant" means a person or corporation in actual possession of any premises either as an owner or tenant.

(z) "owner" means the person who is the registered owner of a vehicle and includes any person renting a vehicle or having the exclusive use of a vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a vehicle for a period of more than 30 days.

aa) "Person" means a natural person or a body corporate and includes a partnership, a group of persons acting in concert or an association.

bb) "Plastic Garbage Bag" means a sturdy plastic bag specifically marketed to store waste and excludes bags that are intended for other purposes.

cc) "Premises" means any land, building, supplied with utilities by the Town.

dd) "Recyclable" means refuse, garbage, waste or other which, when separated and uncontaminated, is deemed by the Chief Administrative Officer to have available a disposal method alternate to Landfill.

ee) "recycling drop off" means a portable or stationary unit that may be found at various locations within the Town and intended for the public to put recyclable material within.

ff) "Residential" means any premises which:

- i. Is actually used as a dwelling;
- ii. Consists of four (4) or fewer self contained suites;
- iii. Produces an average volume equivalent to five (5) bags or less of solid waste per dwelling or self contained suite per week;
- iv. Has one (1) storage location to permit refuse collection to be made directly from a street;
- v. Is constructed and located to permit refuse collection to be made directly from a street;
- vi. Has, at the sole discretion of the Chief Administrative Officer, been described otherwise as residential and therefore entitled to residential waste collection and removal.

gg) "Shared Receptacle Service" means garbage collection services provided to a specific multi-premise site in Town in which several premises share one or more waste receptacles for garbage collection.

hh) "Sidewalk" means that part of a roadway primarily intended for the use of pedestrians and includes the part lying between the curb line or edge of the roadway and the adjacent property line, whether or not paved or improved.

ii) "Street" means any thoroughfare, highway, road, trail, avenue, parkway, driveway, viaduct, lane, alley square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:

- i. A sidewalk, including a boulevard adjacent to the sidewalk;
- ii. If a ditch lies adjacent to and parallel with the roadway, the ditch, and
- iii. If a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences or all the land between the fence and the edge of the roadway, as the case may be, but does not include a place declared by regulation not to be a highway.

jj) "Town" means the corporation of the Town of Drumheller or the area contained within the boundaries thereof, as the context requires.

kk) "Vehicle" means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid, but for the purposes of this bylaw includes an off highway vehicle as defined in the Traffic Safety Act of Alberta.

ll) "Violation ticket" means a violation ticket as defined in the Provincial Offences Procedure Act of Alberta or a Bylaw violation tag.

mm) "Waste" means any discarded household debris, commercial debris, recyclables or household hazardous waste as herein defined.

nn) "Waste Container" means a waste receptacle provided by the occupant specifically marketed to store waste and excludes containers that are meant for other purposes.

oo) "Waste Collection Cart" means a cart that is supplied by the Town designed to receive waste then rolled to a collection point and emptied by an automated collection truck.

pp) "Waste Receptacle" means a commercial bin, waste collection cart, waste container or a plastic garbage bag.

### **3. GENERAL**

Authority of the Town:

3.1 Except as otherwise provided in this Bylaw, the town shall provide for the public collection and removal of waste within the limits of the Town and shall supervise the facilities and equipment necessary or desirable for the management of waste collected or disposed by the Town.

3.2 Town Council may from time to time; by resolution establish fees to be charged for waste management services.

Authority of the Chief Administrative Officer:

3.3 The Chief Administrative Officer shall:

- a) Supervise the collection, removal and disposal of waste, and;
- b) Set the days and times that collection shall be undertaken in different portions of the Town;

- c) Outline the quantities and classes of waste to be removed from any premises or accepted by the Town for disposal;
- d) Decide which method will be used to collect waste;
  - i. Manual Collection, or
  - ii. Automated Collection, or
  - iii. Shared Receptacle Services.
- e) State the location from which waste will be collected;
  - i. Front Street Collection, or
  - ii. Rear Lane Collection.
- f) Set instructions and operating policy for Automated Cart Collection;
- g) May specify availability of waste collection for commercial pick-up;
- h) May specify that private waste haulers report the total volume of solid waste to be hauled out of the Town's boundaries;
- i) Carry out any inspections required to determine compliance with this Bylaw;
- j) Take any steps or carry out any actions required to enforce this Bylaw;
- k) Take any steps to carry out any actions required to remedy a contravention of this Bylaw;

#### **4. WASTE RECEPTACLES**

- a) Any waste that is to be collected must be:
  - i. Must be bagged to prevent loose waste from escaping, or
  - ii. When bagging is not possible must be prepared or packaged in a manner that will prevent loose material from escaping;
- b) The occupant of any residential premises in the Town from which waste is to be collected shall provide and maintain waste containers sufficient to hold the amount of garbage which accumulates in between designated pick-up periods;
- c) Except as otherwise provided, no person shall place waste elsewhere than in waste receptacles, which comply with the requirements of this bylaw;
- d) Waste receptacles provided by the occupant shall be either a waste container or a plastic garbage bag;
- e) The occupant shall ensure that waste containers used:
  - i. Are constructed of a sturdy, water-tight material
  - ii. Are maintained in good condition;
  - iii. Have fixed rigid handles and a smooth rim;
  - iv. Have properly fitted lids that are kept closed except when the containers are loaded and unloaded;
  - v. Are of a tapered cylindrical design such that waste will slide out, and
  - vi. Not be less than 70 litres and not more than 100 litres in size;
- f) Waste containers larger than 100 litres may be used only if the container is wheeled and plastic garbage bags are used in the waste container so that the bags can be easily removed without the need to lift the container. Each plastic garbage bag counts as one waste receptacle;
- g) The occupant shall ensure that plastic bags used:
  - i. Are made of material capable of bearing the weight of its contents without tearing or breaking when lifted, and;

- ii. Are securely tied or fastened so that the contents are wholly enclosed by the bag, and;
- iii. Are no smaller than 60 litres, no larger than 100 litres, approximately 85 cm in height, approximately 70 cm in width, and;
- iv. Are placed in a waste enclosure or waste receptacle to adequately protect the bags from scavenging by animals;
- h) The occupant of the premises will be provided with a Waste Collection Cart if they are party to Automated Collection Service;
- i) The Town will provide the first Waste Collection Cart to premises:
  - i. The cart is to remain at the premises at all times; and shall be secured against theft or loss;
  - ii. The Town may, at the time of collection or any other time, remove, repair or replace any obsolete, damaged or non-serviceable carts;
  - iii. If the Waste Collection Cart is lost, stolen or damaged the occupant shall be responsible for purchasing a replacement cart from the Town or pay for the cost of repairs;
  - iv. The Town owns all Waste collection Carts;
- j) A Waste Receptacle or Collection Cart shall not be filled to a height greater than 5 cm from the top of the receptacle;
- k) The Waste Receptacle or Collection Cart shall be cleaned out regularly by the customer to avoid build-up of odours;
- l) No person shall place waste in any Waste Receptacle without the permission of the owner or occupant of the premise;
- m) The Chief Administrative Officer reserves the right to withhold collection of waste where the Waste Receptacle does not meet the necessary requirements or is in a depilated, unsafe or in an unsanitary condition or in a contrary to the instructions and operating policy of the Chief Administrative Officer.

## **5. WASTE BOXES OR ENCLOSURES – MANUAL COLLECTION SYSTEM**

The occupant of the premises from which waste is to be collected under a Manual Collection System when the premises are fenced from the lane or street where collection is made:

- a) Shall provide waste boxes or enclosures for the protection of waste containers or plastic garbage bags and in other applications as required by the Chief Administrative Officer.
- b) Residents with boxes or enclosures for Manual Collection are responsible for ensuring that the design, construction and state of repair of any permanent enclosure for the storage of waste containers and plastic garbage bags at collection locations allow for the safe and efficient collection of waste and meets the following requirements:
  - i. Enclosure doors should be hinged at the sides with the bottom of the door located a minimum of 15 cm above grade level;
  - ii. Door latches should be large enough to be used by Waste Collectors even while wearing mitts or gloves;
  - iii. An enclosure should allow a minimum clearance of 30 cm above the waste receptacles and lids;

- iv. An enclosure should not be constructed in such a way that it requires Waste collectors to lift waste receptacles over any obstacle exceeding 15 cm in height, and;
- v. Be free of rodents, wasps and other pests;
- c) Residential enclosures shall meet the minimum instructions, operating policy and design standards as set by the Chief Administrative Officer;
- d) Residential enclosures that are permanent can not encroach past the property line on to public lands or land;
- e) Enclosures for commercial waste bins shall meet the minimum instructions, operating policy and design standards as set by the Chief Administrative Officer.

## **6. WEIGHT OF WASTE**

- i. For Manual Collection shall not exceed 27 kilograms or 60 lbs;
- ii. For Automated Collection, the maximum weight will be set by the Chief Administrative Officer

## **7. LOCATION OF WASTE RECEPTACLES**

- a) Except as otherwise provided herein, no person shall place or keep waste receptacles upon any portion of the street or lane unless approved by the CAO. Any waste receptacle improperly left on the street may be removed and disposed of by the Town;
- b) No person who receives waste collection shall set out waste receptacles at locations that are: unsafe, obstructed, blocked by snow, ice poorly maintained or that prevent Waste Collectors from collecting waste in a safe and efficient manner in the opinion of the Chief Administrative Officer or their designate;
- c) The occupant of residential premises shall place waste receptacles for collection in such a way that Collectors shall have access without entering into private property;
- d) Waste receptacles set out for Manual Collection at premises serviced by front street pickup must be placed such that:
  - i. Where there is a combined curb sidewalk, the receptacles are placed not more than 1 metre away from the travel portion of the sidewalk adjacent to and directly in front of the premises;
  - ii. Where there is a separated curb and sidewalk by a boulevard, the receptacles are placed not more than 1 metre away from the travel portion of the street adjacent to and directly in front of the premises;
  - iii. Where there is a curb and no sidewalk, the receptacles are placed not more than 1 metre away from the travel portion of the street adjacent to and directly in front of the premises.
- e) Except where in the opinion of the Chief Administrative Officer, it is impractical to store waste receptacles outside of the building, no Collector shall make a collection of waste from inside any building;
- f) Automated Waste Collection Cart shall be:
  - i. Set out in accordance with the instructions and operating policy of the Chief Administrative Officer;
  - ii. Placed in the alley if the resident has back alley pick-up or set out on the street if the resident has frontal pickup;

- iii. Set out so that they will not likely be overturned;
- iv. Stored out of sight on the premise;
- g) The Town shall collect waste from only one pick-up point from each premise, except where the Chief Administrative Officer has designated any other pick-up point he considers necessary;
- h) Waste receptacles must be placed in a location that is free of rodents, wasps and other pests.

## **8. GARBAGE, WASTE & ASHES**

- a) An occupant of premises from which garbage is to be collected shall:
  - i. Thoroughly drain all household garbage and place it in a plastic garbage bag before disposing of it in the waste receptacle;
  - ii. Quench all ashes for collection and if possible put them in separate waste receptacles from the other waste;
  - iii. Double bag all light, dusty or objectionable materials including cooled ashes, powders, sawdust, vacuum cleaner bags, furnace filters, animal feces and absorbents and disposable diapers;
  - iv. Use protective packaging (sturdy sealed cardboard box or rigid disposable plastic container) for the disposal of sharp, dangerous items including broken glass, razor blades, sheet metal scraps and items with exposed screws or nails;
  - v. Ensure material unsuitable for bagging is to be bundled and securely tied with the bundles not exceeding 1.2 metres (4 feet) in length, 0.75 metres (2.5 feet) in diameter and 27 kg (60 lbs) in weight;
- b) Other than as stated elsewhere in this Bylaw, the Town shall not remove the following from premises:
  - i. Highly combustible or explosive materials including but not limited to liquid or solid fuels, gunpowder, ammunition or explosives;
  - ii. Hot ashes which are not properly quenched and appear to be hot or likely to cause a fire;
  - iii. Compressed propane or butane cylinders;
  - iv. Toxic or household hazardous waste including solvents, oven cleaners, paints, automotive fluids, wet cell batteries, pesticides, herbicides or any material commonly referred to as household, commercial or industrial hazardous waste;
  - v. Biomedical waste including hypodermic needles or syringes, lancets or any sharp item used in home medical care;
  - vi. Large bulky items such as mattresses, box springs, dressers, tables, chairs, major appliances, auto and truck parts, tires, tree limbs, whole shrubs or discarded heavy machinery;
  - vii. Sheet iron, large pieces of scrap metal or machine parts;
  - viii. Electronic equipment including televisions, computers, computer monitors, keyboards and associated cables;
  - ix. Renovation, construction or demolition material
  - x. Stumps, concrete blocks or slabs, soil, rocks or aggregate;
  - xi. Dead animals and animal parts from hunting or trapping;
  - xii. Transient waste;
  - xiii. Septic tank pumping, raw sewage or industrial sludge;

- xiv. Radioactive waste;
  - xv. Waste material which has not been placed for collection in accordance with the provision of this Bylaw;
  - xvi. Liquid waste or material that has attained a fluid consistency and has not been drained.
- c) The Town may accept from time to time and with advance notice, irregular waste items including: appliances, white goods, furniture, mattresses and the like.

## **9. BUILDING MATERIALS AND CONSTRUCTION WASTE**

- a) A person carrying out the construction, demolition or alteration of buildings or other building operations on any property shall do so in such manner as to not permit building material or building waste material to remain loose, free or uncontrolled on the property;
- b) The main contractor on the building site shall be responsible for the actions of any subcontractor or tradesman who fail to comply with subsection a);
- c) Any building material or building waste material which blows free from the building site shall be recaptured, returned to the building site and deposited in a waste receptacle;
- d) The main contractor on a building site shall be responsible for the term of the construction in providing a suitable waste receptacle capable of receiving all building waste material and maintaining the same in a safe contained manner;
- e) Where the contractor is working on more than one building site and they are adjoining, he may provide one building waste receptacle for each three building sites;
- f) The main contractor on a building site shall be responsible for having all unused building material and building waste material disposed of in a Landfill or appropriate area;
- g) The Chief Administrative Officer may direct the person carrying out the construction or alteration of a building to provide a fence of a type that will trap any building material or building waste material in such a manner as to prevent it from escaping from the building site.

## **10. COLLECTION SCHEDULE**

The Town shall collect waste:

- a) From each residential premises once each week.
- b) The Town may provide one leaf and yard waste collection cart for the collection of leaf and yard materials from each residential premise;
- c) Any waste that is stored in a commercial bin may be collected by the Town at the Chief Administrative Officer discretion;
- d) The Town may establish an exclusive franchise at the discretion of Town Council, for the collection and removal of refuse and recyclables from commercial premises and direct commercial waste generators to be responsible for their own contractual relations as described in the franchise;
- e) Where the Town does not collect waste at commercial premises, the occupant, either by contractors, agents or by employees, shall remove and dispose of the waste in compliance with all applicable Federal, Provincial and Municipal laws.

## **11. TRANSPORTATION OF WASTE**

No person shall convey through any street in the Town any waste except in a properly enclosed receptacle or in a vehicle which is covered with canvas or tarpaulin or secured such that the contents are protected from being wind borne or falling on the streets.

## **12. DAMAGE TO PRIVATE ROADS AND INFRASTRUCTURE**

The Town will not be responsible for any damage to roads or infrastructure on a private site resulting from legitimate operation of waste collection vehicles during waste collection activity at that private site.

## **13. OTHER PROVISIONS**

- a) It shall be unlawful for any person to store, deposit or dump building waste, garbage or other waste material anywhere within the limits of the Town of Drumheller, except in a location designated by the Chief Administrative Officer;
- b) No person, other than the occupant of the premises, shall pick over, remove, disturb, or otherwise interfere with any waste material that has been set out for municipal collection;
- c) No person shall place residential or commercial waste in a public litter container;
- d) No person shall burn household refuse, burnable debris or prohibited debris in any fireplace or fire pit within the Town;
- e) The Town reserves the right to withhold collection of improperly prepared waste, prohibited waste, excessive quantities of waste or waste located at unsafe or non-compliant set out locations;
- f) The occupant shall keep the lane at the rear of the premises occupied or under his control – to the centre of the lane – in a clean and tidy condition and free from refuse of any nature;
- g) The occupant shall keep the curb and gutter at the front of the premises in a clean and tidy condition.
- h) No person shall dispose of waste or recyclable materials in the Landfill or at the Material Recycling Facilities except as directed by the Landfill Manager, employee or agent of the Landfill.
- i) All IC&I generators shall be required to deliver, dispose of or allow or cause to be delivered or disposed of only such recyclable materials that the Material Recycling Facilities are approved to accept and shall ensure that all recyclable material is source separated and free of any contamination.
- j) The Chief Administrative Officer shall determine which commercial operations will be required to source separate their recyclables.

## **14. DRUMHELLER AND DISTRICT REGIONAL LANDFILL - ADMITTANCE**

- a) All persons and vehicles attending the Landfill shall stop at the scale house and weigh scale ramp prior to entering the Landfill and all persons shall, at the discretion of Landfill staff, be requested to declare what they are carrying and wish to dispose of.

- b) Persons and vehicles attending the Landfill that fail to comply with any section of this bylaw may be refused admittance or ordered to leave the Landfill at the discretion of Landfill staff. Failing to leave when requested to do so by Landfill staff shall constitute an offence under this bylaw.
- c) Landfill staff may reject any load of waste based on material type, volume, source or any other factor affecting regular operations at the Landfill.
- d) Landfill staff may inspect any load arriving at the Landfill or any recycling drop off for unacceptable materials.
- e) No person shall overfill a recycling drop off container or leave waste of any kind on the grounds where the recycling drop off is located.
- f) No person shall place material in a recycling drop off container that is not in accordance with the labelling on the exterior of the container.
- g) If a customer account set up with the Landfill administration office of the Landfill remains in arrears beyond 60 days, except for customers that have made prior arrangements with Landfill administration, the account shall be suspended and no further credit shall be allowed on that account until such arrears have been paid.
- h) All persons on Landfill property or in attendance depositing recyclable material at a recycling convenience drop off location in the Town shall obey landfill staff instructions at all times. No person while at the Landfill or at a recycle drop off shall disobey any staff instructions, posted speed limits, material handling restrictions, hours of operation, safety requirements, signs directing persons where to unload their waste, or waste containment instructions.
- (i) No person shall enter the Landfill or recycling drop off for the purpose of scavenging or littering.
- (j) The owner of a vehicle involved in an offence referred to this section is guilty of the offence, unless the owner satisfies the Court that the vehicle was:
  - (i) not being operated by the owner; and
  - (ii) that the person operating the vehicle at the time of the offence did so without the owner's express or implied consent..

#### **15. DRUMHELLER AND DISTRICT REGIONAL LANDFILL INSPECTION AND ACCEPTANCE PROTOCOL**

- a) If the Landfill scales are not functioning the Landfill will apply disposal fees on an estimated weight or volume basis.
- b) The vehicle operator shall place their waste in a location as directed by Landfill staff. Landfill staff may, at their discretion, request information regarding the nature and source of the material, and may request that the vehicle operator sign a statement confirming the accuracy of the information given.
- c) Load inspections may be conducted by, but not be limited to, automated radiation detection, manual and visual inspection, use of hand held test instruments and laboratory analysis of the waste in question.
- d) When Landfill staff determine through inspection and/or testing that a load of material delivered to the Landfill or recycling drop off for unloading is unsuitable for acceptance at the landfill or recycling drop off the customer wishing to unload their material shall be advised of this and directed to remove the material immediately.

Failure to comply will result in the Landfill staff removing the unacceptable material as soon as is practicable and arrange for its transport and lawful disposal.

- e) When a load is determined to be unsuitable for disposal and the person has not complied with landfill or recycling drop off requirements the person presenting the load shall be liable for all costs incurred by the Landfill or recycling drop off including:
  - (i) cleanup costs
  - (ii) inspection costs
  - (iii) laboratory analysis fees
  - (iv) administrative fees
  - (v) hauling, disposal and facility decontamination costs incurred at the Landfill or recycling drop off.
- f) All waste deposited shall be in accordance with the provincial Alberta Environment approval requirements for a class II municipal Landfill.
- g) Where an Alberta Transport of Dangerous Goods manifest is required for transport of a load of waste the carrier shall provide a copy of the load manifest to Landfill staff for their review and approval.
- h) When attending the Landfill with industrial waste the person wishing to dispose of this waste shall upon request provide an industrial waste manifest, in form as contained in schedule 'B'.
- i) The carrier of any industrial or commercial waste that may require special handling or may represent a hazard to health, safety, or the environment and wishing to unload said refuse at the Landfill, shall, prior to delivery of the material at the Landfill, contact the Supervisor or designate of the Landfill and obtain written confirmation from the Supervisor or designate that the type of waste as described by the carrier is acceptable for disposal at a Class II Landfill.

## **16. BYLAW VIOLATION TAG/PROVINCIAL VIOLATION TICKET**

- a) A peace officer is authorized to issue a bylaw violation tag to any person that the peace officer believes on reasonable and probable grounds has contravened any provision of this bylaw.
  - (i) Notwithstanding any other provision of this bylaw a peace officer is authorized to immediately issue a provincial violation ticket pursuant to the Provincial Offences Procedure Act.
  - (ii ) A bylaw violation tag may be issued to an accused personally, or by mailing a copy to the accused at his or her last known address.
  - (iii) Nothing in this bylaw shall prevent a peace officer from issuing a bylaw violation tag or provincial violation ticket for the mandatory court appearance of any person who contravenes any provision of this bylaw.
  - (iv) If the penalty specified on the bylaw violation tag served to a person is not paid within a prescribed time period then a peace officer is authorized to issue a provincial violation ticket pursuant to the Provincial Offences Procedures Act.

## **17. PENALTIES**

- a) Any person who contravenes any provision of this bylaw is guilty of a summary conviction offence punishable by a fine not less than fifty dollars and not exceeding five thousand dollars or to imprisonment for a period not exceeding one year or both.
- b) Specific fine penalties for offences of this bylaw are listed in Schedule 'A'.
- c) Offences of a continuing nature shall be deemed to constitute a separate offence for each day or part of a day that the offence continues.

#### **18. COMPLIANCE WITH OTHER LEGISLATION**

No section of this Bylaw relieves a person from complying with any federal or permit, order, consent or other direction.

#### **19. VALIDITY OF THE BYLAW**

Every provision of this Bylaw is independent of all other provisions, if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

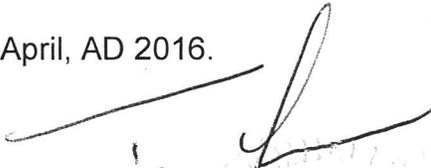
#### **20. ENACTMENT**

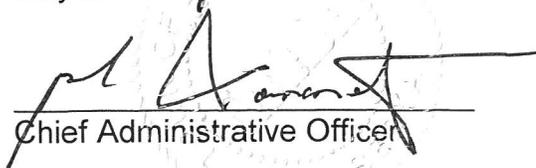
1. This Bylaw will take full force and effect on the third and final reading.
2. Upon enactment of this Bylaw, Bylaw #10-10 as amended is hereby rescinded.

READ A FIRST TIME this 4<sup>th</sup> day of April, AD 2016.

READ A SECOND TIME this 18<sup>th</sup> day of April, AD 2016.

READ A THIRD AND FINAL TIME this 18<sup>th</sup> day of April, AD 2016.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

## CONTRAVENTION PENALTIES

### SCHEDULE A

1. Contravention of the following provisions within the Town of Drumheller Solid Waste Management Bylaw shall be as follows:
  - a. Waste Receptacles Section 4 (a–m) - liable to a minimum of \$ 50.00
  - b. Waste Boxes or Enclosures Section 5 (a-e) - liable to a minimum of \$ 50.00
  - c. Weight of Waste Section 6 (i) - liable to a minimum of \$ 50.00
  - d. Location of Waste Receptacles Section 7 - liable to a minimum of \$ 50.00
  - e. Other Provisions Section 13 (c, f &g) - liable to a minimum of \$ 50.00
  - f. Garbage Waste and Ashes Section 8 (a (ii) - liable to a minimum of \$150.00
  - g. Garbage Waste and Ashes  
Section 8 (a (i, iii, iv & v) - liable to a minimum of \$ 50.00
  - h. Building Materials and Construction Waste  
Section 9 - liable to a minimum of \$250.00
  - i. Transportation of Waste Section 11 - liable to a minimum of \$350.00
  - j. Other Provisions Section 13 (b, d & h) - liable to a minimum of \$500.00
  - k. Other Provisions Section 13 (i) - liable to a minimum of \$1,000.00
  - l. Other Provisions Section 13 (a) - liable to a minimum of \$1,000.00
  - m. Unauthorized Entry to Landfill Section 14(a) - liable to a minimum of \$500.00
  - n. Refusal to Leave the Landfill Section 14 (b) - liable to a minimum of \$250.00
  - o. Disposal of Unauthorized or Unsuitable Waste  
Section 15 (d) - liable to a minimum \$1,000.00
  - p. Refuse to Allow Inspection of Waste  
Section 14 (d) - liable to a minimum of \$150.00
  - q. Failure to Obey Directions/Supply Information  
On Waste Section 15 (b) - liable to a minimum of \$150.00
  - r. Overfilling/or Leaving Material on the Ground  
at the Recycling Drop Off Section 14 (e) - liable to a minimum of \$250.00
  - s. Placement of Waste in Improper Section  
of Recycling Drop off. Section 14 (f) - liable to a minimum of \$50.00
  - t. Scavenging at Landfill, Recycling Drop Off  
or Waste Container. Section 14 (i) - liable to a minimum of \$250.00
  - u. Owner of Vehicle found in contravention  
of any section of this Bylaw Section 14 (j) - liable to a minimum of \$500.00
  - v. Failure to Provide Industrial Waste Manifest  
When Requested to Do So Section 15 (h) - liable to a minimum of \$250.00
  - w. Failure to Provide Dangerous Goods Manifest  
When Requested To Do So Section 15 (g) - liable to a minimum of \$500.00
  - x. Failure to Remove Unacceptable Waste/  
Cleanup Waste Unlawfully Disposed at
  - y. Landfill. Section 15 (e) -liable to a minimum of \$1,000.00

SCHEDULE B

**DRUMHELLER & DISTRICT SOLID WASTE MANAGEMENT ASSOCIATION  
WASTE MANIFEST FORM**

**Date:** \_\_\_\_\_

**Generator Name:** \_\_\_\_\_

**Location:** \_\_\_\_\_

**Type of Waste:** \_\_\_\_\_

**Contact Name:** \_\_\_\_\_

**Contact Phone Number:** \_\_\_\_\_

**Hauler's Name:** \_\_\_\_\_

**Hauler's Phone Number:** \_\_\_\_\_

**I hereby confirm that the waste delivered and disposed of under this manifest form is the type identified and is from the location specified.**