

BYLAW 08/16

A BYLAW TO PROVIDE FOR THE COLLECTION OF WASTE AND OTHER REFUSE WITHIN  
THE TOWN OF BIRCH HILLS

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THE COUNCIL of the Town of Birch Hills, in the Province of Saskatchewan, enacts as follows:

1. In this Bylaw, the following definitions shall apply:
  - a. "Bulky Waste" means solid waste whose individual piece weight exceeds twenty-three (23 kg) kilograms or whose longest dimensions exceed one hundred and twenty (120 cm) centimeters;
  - b. "Commercial Location" means all real property located in the Municipality which is not a residential dwelling location;
  - c. "Commercial Waste" means waste produced or generated on a commercial location;
  - d. "Construction and Demolition Waste" means all waste materials from excavation, building construction, building repair or alteration, debris from any building removed, destroyed by fire or any other cause;
  - e. "Residential Dwelling Unit" means;
    - i. Any single building situated on real property for which a separate certificate of title has been issued and which is principally used as a single family dwelling unit;
    - ii. Any townhouse, condominium or row housing units;
  - f. "Municipality" means the Town of Birch Hills;
  - g. "Occupant" means a person, who, alone or with others, is in charge of or possession of a premises;
  - h. "Residential Collectable Waste" means waste produced or generated on a residential dwelling location but does not include residential non collectable waste;
  - i. "Residential Non-Collectable Waste" means waste produced or generated on a residential dwelling location from vegetation grown on the residential dwelling location, construction and demolition waste and bulky waste.
2. Residential collectable waste in the Municipality shall be collected only by an employee of the Municipality or by a person or corporation contracted by the Municipality for that purpose.
3. Commercial waste and residential non-collectable waste in the Municipality may be collected by the owner or occupant of the property on which such commercial waste or residential non-collectable waste was produced or generated, or by any person or corporation who has contracted with the owner or occupant of the real property on which such commercial waste or residential non-collectable waste was produced or generated.

4. Each residential premises will be provided with one garbage cart and one recyclable cart, at no charge to the resident.
5. Except as otherwise provided in this Bylaw, no person shall place waste from a premises elsewhere than in the carts that comply with the requirements of this Bylaw.
6. All residential collectable waste and recyclable material shall be placed in the proper cart adjacent to the curb in front of the residence. The owner or occupant of the premises shall:
  - a. Deposit residual waste in the proper carts;
  - b. Keep the cart on the property until after 6:00 p.m. the day preceding a collection day;
  - c. Place cart out for collection by 7:00 a.m. on the morning of the collection day, and return them to their usual storage place on the day of collection;
  - d. Place the cart with wheels against, or as close as possible to the curb, or in front of a snow bank. Carts must not be placed on the sidewalk or on a snow bank.
  - e. Cart must be placed a minimum of 3 feet from a parked vehicle.
  - f. All waste must be contained inside the cart, with the lid properly closed.
  - g. No person shall place any explosive or highly flammable waste in any receptacle for collection.
  - h. No person shall place for collection a bundle, package or other material beside any cart.
7. Where a commercial container is used, it must be placed on firm, level ground and be accessible for collection and disposal by the Container Waste Collection Contractor.
8. The Town of Birch Hills will not provide collection for any of the following or similar items, unless a special town-wide collection is authorized by Council:
  - a. Discarded furniture, discarded automobile parts, including tires, and other private vehicles and household equipment.
  - b. Fences, gates and other permanent and semi-permanent fixtures on the premises.
  - c. Building materials and building waste.
  - d. Dead animals
  - e. Hazardous waste.
  - f. Dirt, rocks, cement, bricks, and batteries.
9. Any person carrying out the construction or alteration of any building or structure shall:
  - a. Be responsible for the disposal of all refuse resulting from the construction or alteration;
  - b. Place all refuse and litter into a suitable cart so as to prevent it from blowing around;
  - c. On completion of the construction or alteration, clear the grounds on which the construction or alteration was made.

10. Penalty

- a. Any person who contravenes a provision of Section 6 is guilty of an offence and liable on summary conviction to a fine:
  - i. For the first offence, of \$100.00;
  - ii. For a second offence, of \$200.00; and
  - iii. Notwithstanding subsection (i) and (ii) of this section, where an officer issues a summary ticket for a violation of this Bylaw, that officer may enter on the ticket the amount of \$100.00 or \$200.00 for a second offence, which, if paid within the time prescribed, will be accepted as a guilty plea to that offence.

11. General Penalties

- a. Any person who contravenes, neglects, omits or fails to comply with any provisions of this Bylaw is guilty of an offence and liable on summary conviction, to a fine not exceeding Two Thousand Dollars (\$2,000.00) for individuals, or Five Thousand Dollars (\$5,000.00) for businesses.

12. Where a contravention, refusal, neglect, omission or failure to comply continues for more than one (1) day, the person is guilty of a separate offence for each day that it continues.

13. The payment of fines and penalties shall not relieve the person from compliance with this Bylaw and shall not relieve that person from the payment of any rates, charges, expenses otherwise payable from the discontinuance of services herein provided for.

14. Bylaw No. 154 is hereby repealed.

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

Read a third time and adopted  
this 12<sup>th</sup> day of October, 2016.

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Mayor

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Administrator