



Town of Bowden
Box 338, 2101 20th Ave
Bowden, Alberta, T0M 0K0

Town of Bowden – Province of Alberta
SOLID WASTE
COLLECTION, REMOVAL, RECYCLING & DISPOSAL BYLAW
11 / 2020

Whereas the Municipal Government Act, RSA2000, Chapter M-26 (as amended) provides that Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people, services provided by or on behalf of the municipality, public utilities and the enforcement of bylaws;

And whereas the Province of Alberta has enacted an Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12 Part 9 (as amended over time) which provides for a municipality's power to make bylaws for Waste Minimization, Recycling and Waste Management;

And whereas, Council deems it desirable to manage waste collection and disposal within the Town of Bowden in compliance with environmental and regulatory guidelines;

Now therefore, the Municipal Council of the Town of Bowden hereby enacts as follows;

1 SHORT TITLE

This Bylaw may be known as, and cited as, the "Solid Waste Bylaw"

2 PURPOSE

To establish, operate and maintain a Waste Management System that:

- i. provides for the collection and disposal of solid waste
 - i. provides a service for the disposal of yard and compost waste material
 - ii. satisfies the provisions of the Environmental Protection and Enhancement Act
 - iii. establishes a system for billing (rates, fees, charges, and penalties)
-

3 DEFINITIONS

In this Bylaw (and the attached Schedules) the following definitions apply:

Authorized Person

Means any person appointed to act on behalf of the Town of Bowden.

Bylaw

Means this Bylaw, and all other Town Bylaws made pursuant to the authority of the MGA or any regulation or policy made pursuant to the authority of this or any other Town Bylaw.

CAO (Chief Administrative Officer)

Is the person appointed by the Council into the position of Chief Administrative Officer for the Town of Bowden in accordance with the MGA (or his / her designate) and is the administrative head of the Municipality.

Collection Cart

Means any residential or recycling waste container provided by and / or approved by the Town.

Collection Point

Means a designated area (as defined in this Bylaw) for the disposal of specific types of solid waste.

Commercial Waste

Means material accumulated as a result of any retail, commercial or industrial activity (including construction waste).

Construction Waste

Means material generated as a result of construction, demolition or renovation of a building including but not limited to, earth, vegetation, concrete, rubble, drywall, electrical cable, packaging, metal, wood, pipes, and all hazardous materials, including asbestos.

Council

Means the duly elected Municipal Council of the Town of Bowden.

Dispose of (disposal)

Includes, discharge, deposit, dump, throw, drop, discard, abandon, spill, leak, pump, pour, emit, or empty.

Disposal Site

Means a Waste Transfer Station approved by Alberta Environment for the disposal of waste or a designated disposal place or collection point as determined in this Bylaw or regulation or policy.

Electronic Waste

Means devices powered by either electricity or battery power (eg: computers, cell phones).

Environmental Protection and Enhancement Act (EPEA)

Means the Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12 and all regulations adopted under the Environmental Protection and Enhancement Act (as amended over time).

Excessive

Means an amount too great to be considered reasonable or acceptable, ie: exceeding what is usual, proper, necessary, or normal.

Hazardous Waste

Means any matter that presents an unusual disposal problem or requires special handling or transportation or disposal, including, but not limited to, explosives, poisons, caustics, acids and drugs, that could be deemed harmful to another person, animal, plant or the environment or any material defined as hazardous in the Environmental Protection and Enhancement Act or other enactment.

Matter

Means any solid, liquid or gas material or product.

MGA

Means the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time).

Municipality (Local Authority)

Means the Town of Bowden

Occupant

A person (other than an owner) occupying or exercising control over, or having right to occupy or exercise control over, land or property or buildings (not owned by the Municipality) either as a tenant or lessee for the purpose of residential or commercial activity under agreement with the owner of the land or property or buildings.

Oversize Waste

Means large or bulky items of a household, retail or commercial nature including, but not limited to, furniture, stoves, mattresses, fridges, freezers & other large metal goods and appliances.

Owner

Means a person who is one or more of the following:

- a) the registered owner of the property
- b) recorded as the owner of the property on the assessment roll of the Town
- c) a person in control or development of a property or premise under construction

Person

Means any of the following:

- a) an individual
- b) a legal entity or business entity, including a firm, developer, contractor, association, partnership, society, or corporation

Premise

Means any of the following:

- a) private land
- b) any building or a structure (either occupied or unoccupied)
- c) both or part of a) & b)

Property

Means a parcel of land as registered with Alberta Land Titles.

Provincial Offences Procedure Act

Means the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34 (as amended over time).

Rates & Fees Bylaw

A Bylaw passed by the Town to allow Town Administration to set fees, rates and charges for the provision of services and the enforcement of penalties within the Municipality.

Recyclable Waste

Means those materials determined by the Town to be acceptable for collection through the Town's recycling programs (refer to Schedule B and Schedule C of this Bylaw).

Residential Waste

Means all solid waste generated through the normal day to day household activities of an owner or occupant of a residential property or premise (not including commercial waste, construction waste, hazardous waste and oversize waste) and that is eligible for collection:

- a) pursuant to this Bylaw
- b) pursuant to the guidelines set out in any applicable enactment or order
- c) as being acceptable through the Town's Waste Management System
- d) in accordance with any directive or decision made by the CAO

Remedial Order

An order to remedy contraventions issued in accordance with section 545 of the MGA.

Specific Penalty

Means an amount payable in respect of offences in accordance with this Bylaw.

Town

Means the municipal corporation of the Town of Bowden.

Unightly

Means any property or premise on which there is waste matter that causes the property or premise to show signs of a serious disregard for general maintenance or upkeep, including any detriment (or adverse visual impact) to the surrounding area or which may lead to the decline of the market value of another property in the surrounding area.

Solid Waste / Waste / Refuse

Means, any matter, or combination of matter, including, but not limited to,

- a) residential material, recyclable materials, trade, construction, renovation and demolition material, hazardous material, and oversize (bulky) items
- b) organic material including tree stumps, tree trunks, branches, roots, turf, and other non-putrescence material
- c) anything designated as waste in the Environmental Protection and Enhancement Act including hazardous material & non-acceptable material

Waste Management System

Means the operational policies and procedures put in place by the Town to collect or dispose of waste matter to comply with environmental, regulatory, and public health requirements.

Waste Disposal Facility (Waste Management Facility)

A permitted or licensed waste disposal site approved by Alberta Environment for the acceptance and disposal of waste.

Words (interpretation)

- a) "may" is to be construed as permissive and empowering
- b) "must" is to be construed as imperative
- c) "shall" is to be construed as imperative
- d) "should" is to be construed as a recommended

Yard Waste

Means waste from residential gardening and horticultural activities including grass, trees, weeds, garden waste, hedge cuttings and clippings (and excludes soil or sod) and material designated as acceptable for collection through the Town's yard waste collection program (Schedule D).

4 OBLIGATIONS & LIABILITIES

4.1 Obligations of the Town

The Town is responsible for meeting its responsibilities in accordance with the Environmental Protection & Enhancement Act (EPEA) and for ensuring that waste from both public and private premises do not cause a health risk, safety risk or nuisance.

4.2 Limitation of Liability

The Town is not liable for the:

- i. collection of oversize waste, construction waste, hazardous waste, and commercial waste (as defined in this Bylaw)
- ii. collection of waste from any premise that is deemed not to be normal (ie: not excessive or accumulated) residential waste, recycling waste or yard waste
- iii. collection of excessive amounts of residential waste, recycling waste or organic waste
- iv. the collection of waste, recycling waste or yard waste from a non-residential, unserviceable, or empty residential premise
- v. disposal of the content of a collection cart that does not comply with this Bylaw or any operational policy imposed by the Town or the Town's approved contractor(s) or enactment
- vi. collection of waste from any property where there is either a perceived or actual risk of harassment or safety to a Town employee or Town approved contractor

4.3 Obligations of Persons & Owners

4.3.1

All persons are obligated under Section 176 of the Environmental Protection and Enhancement Act as follows:

No person shall dispose of waste except at a waste management facility, or in a container the contents of which will be taken to a waste management facility, that is the subject of the appropriate approval, registration or notice required under the Act.

4.3.2

All persons are obligated under Section 180 of the Environmental Protection and Enhancement Act as follows:

No person shall dispose of waste on any land owned or administered by a local authority except,

- i. at a waste management facility that is constructed and operated in accordance with the Act,*
- ii. through a refuse disposal system established by a local authority,*
- iii. in a container placed for the purpose of collecting waste,*
- iv. by burning the waste in accordance with a permit, licence or other consent issued by a local authority*

4.3.3

All persons are obligated under Section 182 of the Environmental Protection and Enhancement Act as follows:

No person shall dispose of waste on any land owned by another person unless the owner of that land agrees to the disposal of the waste on the land

4.3.4

Under this Bylaw no person, owner or occupant shall carry out any act which contravenes any approval, requirement, direction or order issued by Alberta Environment, or any other enforcement agency, or the CAO, with respect to the disposal of waste.

4.3.5

All persons, owners and occupants should ensure that they are aware of the published schedule for waste collection & recycling and of any changes to the normal collection schedule due to statutory / public holidays (or disruptions to waste collection services).

4.3.6

All persons, owners and occupants are responsible for ensuring awareness and understanding of the content of this Bylaw and any Town rules and policies regarding solid waste collection, recycling and disposal.

5 GENERAL PROVISIONS ON SOLID WASTE COLLECTION

5.1 General

5.1.1

The Town will provide a residential waste and recyclable waste collection service to residents in eligible units within the Town of Bowden municipal limits.

The Town will consider upon request the provision of a waste and recyclable waste collection service to serviceable commercial properties at the discretion of the CAO.

5.1.2

Eligible units are occupied residential buildings of four or less dwelling units.

5.1.3

Upon request by the owner of a residential property the Town will provide one waste collection cart and one recycling collection cart per residential unit subject to any charges established in the Rates and Fees Bylaw.

Additional or replacement collection carts may be obtained from the Town subject to any additional charges established in the Rates and Fees Bylaw.

5.1.4

The Town remains the owner of all waste and recycling roll out bins (carts) and equipment.

5.1.5

Waste collection carts are assigned to a specific property number and must remain with the assigned property.

5.1.6

Residential waste and recycling waste will be collected every alternate two weeks as per a collection schedule published by the Town. Collection schedules can be modified by the CAO to accommodate statutory holidays, mechanical breakdowns, loss of resources, etc.

5.1.7

The Town may conduct visual inspections to determine compliance with this Bylaw.

5.1.8

The Town may decide the collection point from which residential waste is collected.

5.2 Collection Carts

Collection of residential waste and recycling waste by the Town will be in accordance with this Bylaw (or Town policy) as follows:

5.2.1 Collection Cart Placement, Storage and Collection

Owners and occupants of a residential premise must ensure that:

- i. collection carts are placed in such a manner that automated collection may occur without the Town contractor being required to manually move the collection cart in order to allow pick up
- ii. collection carts are placed on the road with the wheels nearest to the curb

- iii. collection carts are placed at least 1 metre clear of any other obstacles including parked vehicles
- iv. where more than one collection cart is placed there is a clearance of 1 metre between carts
- v. collection carts are not placed for collection in locations so as to interfere with vehicle or pedestrian access, rights of way or on another person's property
- vi. collection carts are stored on the premise to which the collection cart is assigned and must not be stored in a way that encroaches on any street, sidewalk, alleyway, boulevard, easement, public right of way (except when placed on a street for collection)
- vii. collection carts are placed for collection no later than 7.00am on the scheduled day of collection and no earlier than 7.00pm on the day before the scheduled collection
- viii. collection carts are removed from the curbside by 10.00pm of the day of scheduled collection
- ix. collection carts are stored with the lid closed in order to reduce odours, litter & animal access
- x. the contents of a collection cart are compressed or bagged so as to prevent waste from falling from the collection cart during the collection process
- xi. all waste fits into the collection cart, ie: collection carts are not filled higher than the upper rim of the collection cart or in a manner that prevents full closure of the collection cart lid
- xii. the lid of the collection cart is not restricted by using bungee cords, chains or locking devices

The Town is not responsible for the collection or disposal of any waste left beside a collection cart or in non-approved collection cart or container.

The Town has no obligation to collect carts not set out in time for collection

5.2.2 Collection Cart Content

Owners and occupants of a premise must ensure that:

- i. food items are bagged to prevent nuisance from animals
- ii. ashes are doused and liquid waste is drained
- iii. sanitary or contaminated waste is bagged to prevent spread of disease, including but not limited to, animal feces, diapers and medical PPE
- iv. loose and dusty materials (eg: ashes, power, sawdust & shredded paper) are bagged
- v. any waste that overflows or spreads from a collection cart is cleaned up (including accidental spillage)
- vi. collection carts are not filled with items that exceed the manufacturers rated weight limit
- vii. collection carts do not contain any prohibited or non-acceptable waste items (as defined in Schedule B) or any item that could cause undue risk of injury or disease to the collector, a Town employee or another person

5.2.3 Collection Cart Interference

No person:

- i. shall willfully or maliciously hinder or interrupt Town employees or Town approved contractors in the exercise of their powers and duties in relation to the operation of the collection of waste
- ii. remove, disturb, or interfere or pick over the content of a collection cart (other than the premise owner or premise occupant, or a Town employee or the Town approved contractor)
- iii. shall deposit any waste or recycling material within a collection cart without the consent of the owner / occupant of the premise to which the collection cart is assigned
- iv. shall park a vehicle closer than 1 metre to a collection cart that has been placed out for collection

5.2.4 Collection Cart Care and Maintenance

Owners and occupants of a premise must ensure that:

- i. collection carts are maintained in good order and in kept in an acceptable clean and sanitary condition without modification, free of paint, stickers, or graffiti

- ii. collection carts do not contain any waste material which might adhere to the inside of the collection cart

Owners and occupants must notify and liaise directly with the Town if the collection cart is damaged, lost or stolen.

Owners and occupants are responsible for the repair of damage or replacement of collections carts due to misuse, loss, lack of reasonable care or non-accidental damage.

5.3 Waste Disposal, Accumulation and Excessive Waste

5.3.1

Except for waste which is placed in collection carts and yard waste that complies with the provisions of this Bylaw no person is permitted to allow the accumulation or disposal of waste:

- i. outside of a building
- ii. on any public land or premise
- iii. on any vacant land or premise whether or not there is a building or structure erected thereon
- iv. anywhere in any manner which contravenes any acceptable practice, or which may adversely affect public safety, public health or which creates a public nuisance (sight or smell)
- v. that contravenes any part of any Provincial enactment, regulation or order made under the provisions of this Bylaw or any other regulatory body

5.3.2

Residents with regular excessive residential waste should request an additional collection cart(s) from the Town, subject to any charges as established in the Rates and Fees Bylaw.

5.3.3

At the discretion of the CAO the Town may offer to assist in the removal of accumulated or excessive waste subject to a service charge made on a cost recovery basis.

5.3.4

No person shall dispose of any excessive residential & recyclable waste, commercial waste, construction waste, hazardous waste or oversize waste (as defined in this Bylaw) other than at an approved waste disposal site or by an approved disposal means appropriate for the type of waste (ie: at a licensed waste disposal facility or commercial / commercial waste container).

5.3.5

No person shall dispose any residential waste in any public litter bins designated for the collection of public litter.

5.3.6

No person shall accumulate waste that creates a nuisance or is unsightly or which may impact the environment or public safety.

5.3.7

No person shall burn waste within the Town boundary unless permission has been given by the CAO and this is done in accordance with any fire permit requirements, regulation, enactment, or order.

5.4 Commercial, Trade & Non-Residential Waste

5.4.1

All waste generated by non-residential properties, ie: construction waste, hazardous waste, and commercial waste (as defined in this Bylaw) is:

- i. not eligible for Town waste collection or disposal services

- ii. must be disposed of in compliance with the Environmental Protection and Enhancement Act, and / or any, enactment, regulation, or order made under the provisions of this Bylaw or any other regulatory body.

5.4.2

Any person who makes use of a commercial waste container for the temporary storage of non-residential waste must ensure that it is:

- i. equipped with a tight-fitting lid and it is always kept closed (when not in use)
- ii. of sufficient size to hold all waste accumulated between scheduled pick-ups
- iii. emptied regularly and periodically, as necessary, to avoid the build-up of odours and so as not to cause a nuisance or health related problem

5.4.3

The owner of any premise on which a commercial waste container is placed shall ensure that:

- i. the container is not stored on any public land, street, or access right of way
- ii. where possible, any container is kept behind or beside the building which it serves
- iii. any container is kept in a manner that is not unsightly and does not cause a nuisance or health-related problem
- iv. the container cover / lid be kept in good working order
- v. any container is loaded uniformly and is loaded such that waste material is completely contained within the container when closed
- vi. the area surrounding the container is free from litter or waste that has spilled from the container or which was not properly deposited within the container

5.4.4

A commercial waste container may be placed on a premise for a temporary period of time when the placement is in relation to the construction or repair of a building or structure.

No person shall place a temporary commercial waste container on any public street or public right of way within the Town without the written permission of the CAO.

No person shall deposit any waste within a commercial waste container without the consent of the person who has rented or purchased the commercial waste container.

5.5 Haulers and Vehicles Carrying Waste

5.5.1

Haulers who collect, transport, and dispose of waste (including cart collectors) must ensure that:

- i. vehicles meet all regulatory requirements regarding the transportation of dangerous goods as regulated by Transport Canada and any other regulatory enactment in accordance with stated safety standards and transport requirements
- ii. vehicles, operators, and drivers meet all requirements as set out in the Provincial Traffic Safety Act, Regulation and Code
- iii. vehicles used to collect, transport, and dispose of waste have a tarpaulin or restraining device fitted to cover the waste material and ensure that waste is not spilled or scattered during transit

5.5.2

- i. all haulers and contractors engaged in the business of collecting, transporting, or disposing of waste must have a valid Town Business Licence issued in accordance with Town policies
- ii. all haulers and contractors engaged in the business of collecting, transporting or disposing of waste must comply with any relevant provision of this Bylaw and must comply with any

- restrictions regarding noise and parking as set out in any other Town Bylaw or policy or CAO directive
- iii. all haulers and contractors engaged in the business of collecting, transporting, or disposing of waste must comply with any relevant provision of the Town's Occupational Health & Safety Policy
 - iv. haulers who contract directly with the Town may be required to submit any relevant or requested documentation relating to insurance, certification, manifests, and licensed waste disposal facility "proof of disposal" documentation
 - v. vehicles may be inspected by the Town to ensure compliance with this Bylaw
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6 TREES, YARD WASTE, COMPOST MATERIAL and BURN PIT

6.1 Trees

6.1.1

The Town manages the care and maintenance of trees and shrubs located on all public land including boulevards, Town owned facilities and public open spaces.

The Town is responsible for the removal of solid waste as a result of any such care & maintenance.

6.1.2

The Town may enforce (through Bylaw or written order from the CAO) the maintenance of trees and shrubs on a private property, where necessary, in order to ensure safety, maintain good appearance, or maintain access rights of way.

Owners and occupants of a private property are responsible for removing / trimming / pruning of all trees, shrubs or plants which interfere with, or encroach onto, a road, boulevard, back alley, lane, sidewalk, utility right of way, fire hydrant, public open space or access right of way.

The owner or occupant of the property is responsible for the disposal of any solid waste produced as a result.

6.1.3

In the event of uprooted trees and shrubs or fallen branches due to severe weather the property owner or occupant is responsible for the removal of all debris originating from their private property that as a result of the severe weather covers any public land including a road, boulevard, back alley, lane, sidewalk, utility right of way, fire hydrant, public open space or access right of way.

The owner or occupant of the property is responsible for the disposal (and cost of disposal) of any waste produced as a result.

If the owner or occupant of the property is unable or unwilling to do this within a reasonable time limit or a hazardous situation exists, then the owner or occupant of the property may be charged for the cost incurred by the Town to rectify the matter (on a cost recovery basis).

6.1.4

At the discretion of the CAO the Town may offer to assist in the removal of accumulated tree waste subject to a service charge (on a cost recovery basis).

6.2 Yard Waste & Compost Material

6.2.1

Yard waste and compost type materials must be disposed of in an approved manner as set out in this Bylaw.

6.2.2

At the discretion of the CAO the Town may offer to assist in the removal of yard waste or compost material from a property subject to a service charge on a cost recovery basis.

6.3 Burn Pit

6.3.1

The Town may provide a facility for the disposal of yard waste at a specified collection point (currently this is the "burn pit" located west of Town across the CP rail tracks on Township Road 343, near to the South Red Deer Regional Wastewater Station & RV Dump).

Access to any designated collection point may be limited on specific days and times dependent on season, fire permit restrictions, and use. Access and use are for residents only.

6.3.2

Residents are responsible for transporting waste material to the burn pit and for leaving the material in safe and tidy manner.

Waste must not be disposed of in the burn pit that would cause undue risk of injury or occupational disease to any Town employee or that would contravene any environmental safety code, regulation, or enactment.

6.3.3

Acceptable and non-acceptable items for disposal at the burn pit are fully defined in Schedule D of this Bylaw.

7 DESIGNATION OF AUTHORITY

7.1

Council authorizes the CAO to do all actions necessary in order to fulfill the responsibilities and duties under the MGA, the Environmental Protection and Enhancement Act, and any other enactment, order, this Bylaw and Municipal policy.

7.2

The CAO has the responsibility for the day to day operation of the Waste Management System in accordance with:

- i. Provincial enactment, regulations, codes, or orders
- ii. this Bylaw and any relevant Town Bylaw, order, or policy
- iii. the direction of Council

7.3

Without limitation, the CAO is empowered to provide for:

- i. the management and operation of the Waste Management System
- ii. administering or enforcing the provisions of this Bylaw
- iii. granting approvals and permissions as set out in this Bylaw or as needs or situation requires

7.4

The CAO may delegate powers to designated officers, authorized persons, organizations, contractors, inspectors, or employees of the Town as deemed appropriate or necessary.

7.5

The CAO upon giving reasonable notice of time to an owner or occupant, may enter any private, retail or commercial premise to carry out an inspection, enforcement, remedy, or any action authorized or

required by either enactment or this Bylaw (in accordance with Division 4, Enforcement of Municipal Law of the MGA).

The CAO may issue a written warning that:

- i. directs a person to take action to remedy any contravention of this Bylaw (or order)
- ii. states the action the Town will take to remedy the contravention

This may lead to the issue of:

- i. a specific penalty listed for an offence as identified within this or any other Bylaw
- ii. an unspecified penalty (as stated in Schedule A of this Bylaw)
- iii. the issue of a Remedial Order to remedy the infraction (in accordance with Division 4, Enforcement of Municipal Law of the MGA)
- iv. any or all of i) to iii) above

7.6 Right of Appeal

Any person who considers themselves to be aggrieved by a decision of the CAO made under this Bylaw may appeal the decision to Council, in accordance with the procedures outlined in the Council Procedural Bylaw 08 / 2020 (as amended over time).

The Council's decision in respect of an appeal will be final and binding.

8 FEES & BILLINGS

8.1 Authority of Council

Council will set commercial and residential service fees as set out in the Rates & Fees Bylaw for the following:

- i. solid waste and recycling waste collection fees
- ii. collection cart replacement fees

8.2 General

Fees relating to residential waste and recycling waste collection are mandatory for all residential properties.

The monthly fee for residential waste and recycling waste collection will apply even when there is no actual occurrence of a collection of either residential waste or recycling waste from a property (including non occupied residential premises).

The owner of a premise is responsible for providing notice to the Town of any intended date of vacating a premise.

For new residential constructions waste collection fees will commence at the time of installation of the water meter.

Any general queries should be directed through the Town Administration Office.

8.3 Billings

The owner of a premise is responsible for paying the monthly waste and recycling collection fees (unless otherwise authorized at the discretion of the CAO).

Residential and recycling waste collection utility billings will be made monthly. Payment is due and payable on or before the date indicated on the utility bill as the "Last Date Before Penalty". Thereafter penalty fees apply as set out in the Rates and Fees Bylaw.

Non receipt of a utility bill does not exempt the owner (or occupant where authorized) from payment of the service provided.

8.4 Authority of the CAO

8.4.1

Where rates are not established (in the Rates & Fees Bylaw) for a particular service, the CAO may establish and levy charges for waste collection or waste disposal services (on a cost recovery basis).

8.4.2

The CAO may establish rates, charges, penalties, or fees for other waste related services including any or all of the following:

- i. the maintenance and operation of any part of the Waste Management System
- ii. the clean-up and removal of accumulated waste, excessive waste, prohibited waste and waste not disposed of in the correct manner
- iii. non-specific infractions of any part of this Bylaw

8.4.3

If an owner (or occupant) of a property or premise defaults on payment of an account balance (for waste collection or services provided, or for any liability or fine pursuant to this Bylaw) the CAO may enforce the collection of the debt by taking one or more of the following actions:

- i. ending the collection of waste services to the owner's property
- ii. entering the unpaid amount on the Taxation & Property Assessment Notice of the owner's property
- iii. bringing an action against the person by a court of jurisdiction or any other lawful means

9 APPLICABILITY

9.1

This Bylaw applies to all persons, owners, occupants residing within the Town and further applies to any business or contractor or person operating commercially within the Town.

Any person who contravenes any provision of this Bylaw, by doing any act or thing which is prohibited, or by failing to do any act or thing that is required, is guilty of an offence in accordance with this Bylaw or any other enactment.

Nothing in this Bylaw relieves any person from complying with any provision of a Federal or Provincial enactment, or from any order made by a regulatory body, or from any other Town Bylaw.

Under Provincial legislation (Provincial Offences Procedures Act), the provisions of the Criminal Code extends liability beyond the person who committed the offence as follows:

Persons are deemed party to an offence who:

- i. actually commit the offence
- ii. do anything for the purpose of aiding a person to commit an offence, or:
- iii. abet any person in committing an offence

9.2

All schedules attached to this Bylaw form part of this Bylaw.

10 SEVERABILITY

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.

Nothing in this Bylaw relieves a person from complying with the provision of any Federal, Provincial or Municipal enactment or regulation or the requirement of any lawful permit, order or licence.

11 BYLAW PRECEDENCE

This Bylaw supersedes and takes precedence over all previously passed Bylaws that make reference to solid waste collection, recycling, and disposal.

Bylaw **03 / 2014** and all amendments thereto are hereby repealed.

This Bylaw and the schedules listed below will come into effect on the final day of passing and signature thereof.

Schedules attached to this Bylaw:

- Schedule A Penalties
- Schedule B Residential Waste & Recycling Waste Acceptable & Non-Acceptable Items
- Schedule C Electronic Recycling
- Schedule D Yard Waste & Compost Material

Read a first time in open council this 14th day of December 2020,

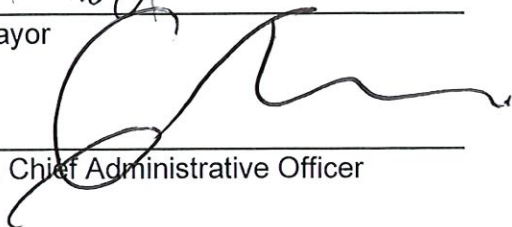
Read a second time in open council this 14th day of December 2020,

and finally passed by unanimous consent of the Councillor's present.

Read a third time in open council this 14th day of December 2020,



Robb Stuart, Mayor



Greg Skotheim, Chief Administrative Officer

Solid Waste Bylaw SCHEDULE A Penalties

A1

Any contravention of any provision of this Bylaw may be enforced by the provisions contained within the Municipal Government Act (Division 4, Enforcement of Municipal Law), the Provincial Offences Procedures Act, R.S.A. 2000 Chapter P-24 or any other Provincial enactment or order where valid and enforceable.

A2

Any person who:

- i. contravenes a provision of this Bylaw is guilty of an offence
- ii. fails to do any act or thing a person is required to do, is guilty of an offence

A3

This may lead to the issue of:

- i. a written warning
- ii. a violation ticket for a specific penalty for the contravention of a provision of this Bylaw in accordance with the Provincial Offences Procedures Act
- iii. an unspecified penalty of a variable amount of not less than \$250 up to a maximum of \$15000 for any general contravention of this Bylaw as either a penalty fee, surcharge, late payment charge and / or for the compensation for damages or for remedial work.
- iv. the issue of a Remedial Order to remedy the infraction in accordance with section 545 of the Municipal Government Act
- v. any or all of i) to iv) above

This Bylaw is enforceable either by the CAO (or delegate) or a Designated Officer of the Town.

A4 Specific Penalties

Bylaw Reference	1 st offence	repeat offence(s)
Section 5.2 Collection offences	\$100.00	\$250.00
Section 5.3 Accumulation & excessive waste offences	\$200.00	\$500.00
Section 5.4 Commercial, trade & non-residential offences	\$250.00	\$1000.00
Section 5.5 Haulers & Vehicles Carrying Waste	\$250.00	\$1000.00
Section 6 Trees, Yard Waste & Compostables	\$200.00	\$500.00
Section 6.3 Burn Pit	\$200.00	\$500.00
Schedule C Electronic Recycling Program	\$200.00	\$500.00
Schedule D Yard Waste & Compost Material	\$200.00	\$500.00

A5

All persons must rectify the circumstances which give rise to an offence within the stipulated time period. Any continuance thereafter shall be deemed to be a new (subsequent) offence incurring further additional penalties.

A6 Non-Specific Penalties

Any person who contravenes any provision of this Bylaw (other than those specific penalties listed in A4) will be subject to an unspecified penalty (as stated in A3 iii) the actual amount of which will be determined and applied at the discretion of the CAO dependent upon the context, nature and severity of the offence.

A7

All persons are responsible for all costs associated with the implementation of any measures taken, or required to be taken, by the Town (or a regulatory body) to meet the requirements of this Bylaw.

A8

Any person, in contravention of this Bylaw, may be liable to compensate the Town for all costs associated with the illegal release, containment, sampling, testing, removal, cleanup and disposal of any waste or contamination by waste in contravention of this Bylaw.

A9

In all cases, in the interest of minimizing any misunderstanding and maintaining harmonious relationships, residents, businesses or contractors should liaise directly with the Town on any matter relating to the collection, accumulation or disposal of waste.

E-mail: info@bowden.ca
Tel: 403 224 3395 (Administration Office – 8.00am to 4.00pm)
Tel: 403 224 3621 (Public Works Out of Hours)

Solid Waste Bylaw

SCHEDULE B Residential Waste & Recycling Waste

Acceptable & Non-Acceptable Items

B1 ACCEPTABLE SOLID WASTE ITEMS (Black Bins)

All solid waste generated through the normal day to day household activities of an of a residential property or premise



B2 ACCEPTABLE RECYCLING ITEMS (Blue Bins)

- Paper** Newspapers, flyer inserts, magazines, and catalogues
White writing and computer paper
Greeting cards, non-foil gift wrap
Junk mail, paper bags, envelopes, *paper* egg cartons, paperback, and hard cover books, phone books (shredded paper is only accepted if in clear plastic bags)
- Cardboard** Flattened cardboard boxes (no larger than 36" squared)
Flattened cereal and food boxes (but no liners)
Pizza boxes, milk cartons & juice boxes (rinsed and flattened)
- Metals** Emptied, rinsed and clean tin cans (soup, juice etc.)
Aluminum containers (pie plates)
Aluminum tin cans (beverages)
- Plastics** Emptied, rinsed and clean plastic containers
Pop, beverage bottles, milk jugs



B3 NON-ACCEPTABLE RECYCLING ITEMS (Blue Bins)

- Waxed Cardboard / Styrofoam / Liners
- Film plastic wrapping (black garbage bags / grocery bags / shrink wraps etc)
- Glass (bottles / jars / windows, etc)
- Aerosol Cans
- Diapers
- Electronic items / Batteries / Ink Cartridges / Aerosol Cans
- Pet Litter
- Ceramics / China / Light Bulbs / Mirrors
- Household Items / Décor / Carpets / Curtains / Clothing
- Medical Supplies
- Liquids (motor oil / paint / cooking oil)



B4 NON-ACCEPTABLE SOLID WASTE & RECYCLING ITEMS (Black and Blue Bins)

- Oversize waste / construction waste / hazardous waste / commercial waste
- Trees / branches / turf / soil / concrete & other inert waste
- Vehicle parts / tires / batteries / motor oil & other large items of scrap metal
- Animal carcasses & offal / medical waste / pharmaceuticals
- Electrical products / household appliances / paint / explosive material / luminescent glass tubes
- Matter or materials banned from landfill disposal or waste system handling



Solid Waste Bylaw **SCHEDULE C Electronic Recycling**

C1

In conjunction with the Alberta Recycling Management Authority additional waste collection programs may be introduced.

These waste collection programs accept an expanded range of recyclable items and include items that are not normally permitted to be placed in the recycling carts (as stated in Schedule B).

The current program accepts household electronic items and appliances as defined below, section C2.

C2

Residents are required to take electronic recyclables to a designated collection point (currently located on the north west corner of the Arena parking lot).

Residents must comply with instructions placed at the collection site.

Residents should refer to the Town's web site, for any changes to the electronic recycling program (including acceptable and non-acceptable items).

There are no charges or fees.

C3

Only approved items can be left at the electronics recycling collection point.

Permitted types of household electronic items that can be recycled at the collection point include:

Small Appliances	Audio Visual Items	Telecoms
Power & Air Tools	Printers / Fax machines	Speakers
TV's	Desktop Computers	Laptops & tablets
Electronic Toys & Games & musical equipment		Computer Monitors

C4

Non permitted types of household electronic items include:

Air Conditioning Units	Washing Machines	Fridges
Garden Power tools	Microwave Ovens	Lighting (all types)

Non-permitted items include residential waste, oversize waste, construction waste, hazardous waste, and commercial waste (as defined in this Bylaw).

C5

Electronic recycling items must not be put out for collection (disposed of) that would cause undue risk of injury or disease to any Town employee or that would contravene any environmental safety code, regulation, or enactment.

Solid Waste Bylaw

SCHEDULE D Yard Waste & Compost Material

D1 Town Collection Sites

Yard waste (grass clippings, prunings, leaves, brush, twigs, house & garden plants) can be deposited for collection in one of the approved yard waste compost bins. These are currently located at:

- i. corner of 25th Avenue and 22nd Street
- ii. corner of 18th Avenue and 22nd Street (rear of Igloo Arena)
- iii. park area at rear of Westview Crescent and 17th Avenue

D2 Residential Property Collection

During spring and fall (only) the Town will (by email or telephone request) pick up yard waste placed near a property boundary or rear alleyway, provided that:

- i. branches are not greater than 1 metre in length
- ii. all lateral branches are removed from the main branch
- iii. prunings are piled or bundled together and are neat and tied
- iv. clippings and small items of yard waste are placed in an approved compostable collections bag

The Town is not responsible for trimming large branches into smaller manageable items

Residents who require assistance should contact the Town Administration Office.

D3

The following items are non-acceptable waste must **not** be put into either the Town collection sites (compost bins) or left out for collection:

- i. large tree branches (greater than 1 metre in length), stumps and roots
- ii. wood shingles
- iii. treated or painted wood
- iv. containers, cardboard, plastic bags, residential waste
- v. commercial waste, construction material, large loads

D4 Burn Pit Collection Site

Residents can take items of yard waste directly to the Town's burn pit located west of Town across the CP rail tracks on Township Road 343 (near to the old lagoons).

Acceptable items include (combustible) waste from residential gardening and horticultural activities including trees, hedge cuttings and clippings and non-treated timber.

Non-acceptable waste items include:

- i. oversize (bulky) waste / construction waste / hazardous waste / recyclable waste / residential waste / commercial waste, as defined in this Bylaw or other regulatory enactment.
- ii. Waste from commercial or retail activity
- iii. rail ties or other treated wood
- iv. materials that are normally collected through the Town's waste management system including household residential waste and recyclable waste
- v. couches, mattresses, office, or residential furniture
- vi. solid rocks, soil and gravel and other inert waste or material
- vii. scrap metal
- viii. automobile parts, including tires, batteries, and motor oil
- ix. electronic items
- x. propane tanks (and other flammable, explosive or dangerous material)
- xi. septic tank waste, raw sewage, or industrial sludge