

THE RURAL MUNICIPALITY OF STE. ANNE

By-Law No. 03-2013

BEING A BY-LAW of the RM of Ste. Anne to provide for the **Collection of Household Wastes and Other Household Waste Materials and to Provide for the Collection and Processing of Recyclable Materials.**

WHEREAS Section 232 of the Municipal Act authorizes a council to pass bylaws for municipal purposes;

NOW THEREFORE the Council of the RM of Ste. Anne in public meeting duly assembled enacts as follows:

SECTION 1 **INTERPRETATION**

Name of By-law

1.1 The name of this By-Law, for citation, is the **"Solid Waste By-Law"**.

Definitions

1.2 In this By-Law:

- a) **"animal and agricultural waste"** means crop residues and like materials from agricultural pursuits, and manure from stables, kennels, veterinary establishments and like premises, and carcasses;
- b) **"bulky wastes"** means large items of refuse, including appliances, furniture, auto parts and large crates, each not exceeding 45 kilograms in weight, tree cuttings not exceeding 100 millimeters in diameter in bundles not exceeding 35 kilograms in weight;
- c) **"Municipality"** means all of the Rural Areas of the Municipality and the LUD of Richer;
- d) **"construction and demolition wastes"** means the waste **"building"** materials and rubble resulting from the construction, remodeling, repairs, demolition or destruction by fire of **"buildings"** and other structures, and the installation, repair or removal of pavement and like works;
- e) **"hazardous wastes"** means any waste that may present a hazard to a person in contact with such wastes, and includes, but is not limited to, wastes such as propane cylinders, petroleum distillates, light fuels, household waste paints, caustics, drugs, acute hazardous waste chemicals, waste crankcase oils and lubricants, inorganic chemicals, halogenated pesticides and herbicides, non-halogenated organic pesticides and any other wastes of pathological, explosive, highly flammable, radioactive, toxic or acidic in nature;
- f) **"household wastes"** means all animal and vegetable waste, whether liquid or solid, including food packaging, matter with residual food materials resulting from the handling, preparation, cooking and serving of foods in households, unusable clothing, sweepings and all waste materials capable of being consumed by fire, wood excelsior, bedding, rubber, leather, plastic, metals, ceramics, glass, and yard wastes;
- g) **"insanitary conditions"** means insanitary conditions as those words defined in the regulations of The Public Health Act;
- h) **"recyclable"** means any item of household waste that is eligible for funding under the Manitoba Product Stewardship Program and the Municipality deems it expedient to separate from the waste stream;
- i) **"waste container"** means a receptacle, complete with lid, of not more than 100 litre capacity which the contents shall weigh not more than 25 kilograms, is fitted with handles to facilitate handling; or a non-returnable plastic bag, tied at the top, maximum size of 66 centimeters by 91 centimeters, capable of being lifted with 18 kilograms of contents.
- j) **"yard waste"** means wastes that consist of leaves, grass and garden wastes, excluding any tree trimmings.

Severability

- 1.3 A decision by a court that any part of this By-Law is illegal, void, or unenforceable severs that part from this By-Law, and is not to affect the balance of this By-Law.

SECTION 2**SOLID WASTE CONTROL****Visibility of Household Waste**

- 2.1 Between periods of collection, whether collection is a private or municipal service, all household waste shall be kept from view from the front street of any residence, including structures constructed for the purpose of storing wastes.

Collection of Household Wastes and Bulky Items in the LUD of Richer

- 2.21 The Municipality shall provide services to collect household waste from all single, two family and Multi-Family dwellings located within the boundaries of the LUD of Richer, exclusive of statutory holidays. This includes non-conforming residential dwelling units contained in industrial and commercial zones.
- 2.22 Between periods of collection, all household waste shall be kept from view from the front street of any residence, including structures constructed for the purpose of storing wastes.
- 2.23 Household waste shall be placed out for collection not sooner than 8:00 p.m. on the day prior to the designated collection day.
- 2.24 All household waste placed for collection shall be at a location as close as possible to the travelled portion of the street adjacent to the front of their residence, but not on a sidewalk or in such a location as to interfere in any way with vehicular or pedestrian traffic.
- 2.25 No person shall place household wastes in a container that is not a waste container, as defined in the By-Law, and the Municipality shall not be liable for the removal of a container that is not a waste container.

Commercial Buildings

- 2.31 The occupant or owner and/or operator for a commercial premise including Provincial and Federal government premises, trailer courts, institutions, industrial premises or such other premises as determined by Council, shall be required to make arrangements for the removal and disposal of all waste materials to adequately keep the premises in a sanitary condition.
- 2.32 Any commercial, government or industrial property that does not have its wastes removed in a manner satisfactory to the Municipality shall be charged for costs incurred by the Municipality to have the wastes removed. If the invoice is not paid within a reasonable period of time, the charges shall be added to property taxes.

General Conditions

- 2.41 Household wastes consisting of meat or vegetable waste shall be securely wrapped or contained before it is placed in a waste container.
- 2.42 No persons shall deposit any waste material on a property or in a waste container that is not under his direct control.
- 2.43 No person shall bring into the Municipality any waste for collection or disposal.
- 2.44 No persons, other than the owners or occupants or those appointed by the owners or by the Council to collect wastes, shall interfere with or disturb the contents of any waste container or other wastes placed for collection.
- 2.45 The Council shall have the final authority in case of a dispute.

SECTION 3
RECYCLABLES

Collection of Recyclables

- 3.11 The Municipality shall provide services for the collection of recyclables from the designated Recycling Pick-Up zones, on the days and at the times specified in the current year's Recycling Pick-Up Schedule.
- 3.12 Between periods of collection, all recyclables shall be kept from view from the front street of any residence.
- 3.13 Recyclables shall be brought for collection at the times and on the days specified in the current year's Recycling Pick-Up Schedule

SECTION 4
OTHER WASTE

Disposal of Other Waste

- 4.11 Every person shall dispose of construction and demolition waste, at their own expense, at the Steinbach Landfill, or make alternate arrangements to have the construction and demolition waste removed from the owner's property and disposed of in a manner as not to create an environmental hazard.
- 4.12 Hazardous wastes shall be disposed of in a manner so as not to create an environmental hazard.
- 4.13 "Animal and Agricultural Wastes" shall not be placed in with household wastes but disposed of in accordance with Provincial Legislation.

Sanitation

- 4.21 No person shall dispose of or discharge liquid wastes in any place within the Municipality, except into a pump-out tank or an on-site wastewater management system.
- 4.22 No person shall deposit wastes on private property or in any ditches or on any boulevards, lanes or streets within the Municipality, other than those under his direct control.
- 4.23 No person shall deposit or dispose of or discharge wastes in the Municipality in such a manner as to create a nuisance.
- 4.24 No person shall create an unsanitary condition in the Municipality.
- 4.25 No person shall maintain a water supply in any place in the Municipality that does not comply with The Public Health Act and the regulations there under.

Septic Wastes

- 4.31 No person shall dump septic tank waste anywhere within the Municipality's limits except at a station designated by the Municipality within the hours of operations posted. All persons requesting the Municipality to accept septic waste shall provide a suitable discharge pipe.
- 4.32 A charge for the dumping of septic waste shall be fixed by the Municipality from time to time.

Transportation of Wastes

- 4.41 Liquid wastes and septic wastes must be transported in properly sealed containers to prevent spillage. Clean-up of any spillage shall be the responsibility of the transporter.
- 4.42 Solid wastes must be properly contained and secured to prevent loss of materials during transport.
- 4.43 The transporter shall be responsible for the collection and disposal of any materials which have fallen from a transport vehicle. The transporter shall also be responsible for any damages caused by the loss of uncontained wastes while in transit.

SECTION 5
OFFENCES AND PENALTIES AND ENFORCEMENT

Offences under By-Law

- 5.1 A person is liable to the penalties imposed under this Section when they are found guilty of an offence against this By-Law in a manner as follows:
- a) violating any provision of this By-Law, or doing any act or thing which violates any provision of this By-Law, or allows any other person to do any act or thing which violates any provision of this By-Law;
 - b) neglecting to do or refraining from doing anything required to be done by any provision of this By-Law; or
 - c) allowing any other person to fail to comply with an order, direction, or notice given under any provision of this By-Law.

Fine for Offence

- 5.21 Every person who commits an offence against this By-Law is punishable on conviction by a fine of no more than \$1,000.00 for each first offence.
- 5.22 Every person who commits an offence against this By-Law is punishable on conviction by bearing responsibility for having the wastes removed in a manner that is satisfactory to the Municipality.
- 5.23 Every person that does not have its wastes removed in a manner satisfactory to the Municipality shall be charged for costs incurred by the Municipality to have the wastes removed. If the invoice is not paid within a reasonable period of time, the charges shall be added to property taxes.

Fine for Continuing Offence

- 5.3 Every person who commits an offence of a continuing nature against this By-Law is liable to a fine not of no more than an additional \$1,000.00 to the previously issued fine.


SECTION 6
ENACTMENT


Force and Effect

- 6.1 This By-Law is to come into force and take effect on the date of its enactment.

PASSED AND ENACTED in Council assembled in open session in the Council Chambers of The Rural Municipality of Ste. Anne, in the Province of Manitoba, this 17th day of July, 2013

THE RURAL MUNICIPALITY OF STE. ANNE


 Art Bergmann
 Reeve


 Jennifer Blatz, CMMA
 Acting Chief Administrative Officer

Read a first time this 12th day of June, 2013

Read a second time this 17th day of July, 2013

Read a third time this 17th day of July, 2013