

**RURAL MUNICIPALITY OF ALEXANDER**

**BY-LAW NO. 01-11**

*Being a by-law of the Rural Municipality of Alexander for regulating the deposit of waste on public or private property, regulating and controlling the use of Solid Waste Disposal Facilities and establishing fees to be charged for the delivery of Waste to the Solid Waste Disposal Facility.*

**Whereas** Section 232(1) of *The Municipal Act*, S.M. 1996, c.58 empowers a municipality to pass by-laws respecting the safety, health, protection and well-being of people, and the safety and protection of property;

**And whereas** Section 250(2) empowers a municipality to acquire, maintain and operate services and facilities;

**And whereas** Subsections 252(1)(a) and (c) authorize a municipality to set terms and conditions in respect of users of services and facilities, including setting, charging and collecting fees and other charges;

**And whereas** Subsection 252 (1) (c) permits a municipality to discontinue or disconnect a service and refuse to provide the service to users who fail to comply with the terms and conditions for use;

**And whereas** the Council of the Rural Municipality of Alexander operates three (3) Solid Waste Disposal Facilities within the boundaries of the Municipality under a license issued by the Province of Manitoba Environment;

**And whereas** the Council of the Rural Municipality of Alexander deems it necessary and expedient that the depositing of solid waste on public and private property and the use of Solid Waste Disposal Facilities is regulated and controlled;

**Now therefore** the Council of the Rural Municipality of Alexander in council assembled enacts as follows:

**SECTION 1 – TITLE**

1.0 This by-law may be referred to as “The Rural Municipality of Alexander Solid Waste Disposal By-law”.

**SECTION 2 – DEFINITIONS**

**Authorized User** - means:

- a) An owner of real property shown on the Municipality’s tax roll, and/or a person authorized by an owner of real property.
- b) A person or organization who is authorized to use the Waste Disposal Grounds by agreement with the Municipality.

**Ashes** - means the residue from the burning of wood, coal, coke and like materials, for the purpose of cooking, heating buildings and disposing of combustible materials.

**Bag** - means a flexible containment device with a single opening, not measuring more than 26 inches x 36 inches in size.

**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 millimetres in diameter in bundles not exceeding 35 kilograms in weight.

**Compost** - means the same as “Yard Wastes”.

**Construction and Demolition Wastes** - means the waste “building” materials and rubble resulting from the construction, remodeling, repair, demolition or destruction by fire or “buildings” and other structures, and the installation, repair or removal of pavement, cement and like works.

**CAO** - means the individual assigned by by-law to the position of Chief Administrative Officer or the Municipality.

<b>Council</b>	- mean the duly elected Council of the Municipality.
<b>Dirt</b>	- means natural soil, earth, sand and stone.
<b>Designated Officer</b>	- means a person filling a “Designated Officer Position” as approved from time to time by Council.
<b>Facility</b>	- means the Solid Waste Disposal Grounds/Landfills operated by the Rural Municipality of Alexander.
<b>Grounds</b>	- shall have the same meaning as facility.
<b>Hazardous Waste</b>	- 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.
<b>Household Waste</b>	-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 food in households, unusable clothing, sweeping and all waste materials capable of being consumed by fire, wood excelsior, bedding, rubber, leather, plastic, metals, ceramics, glass and yard wastes.
<b>Industrial Waste</b>	- means wastes arising from, or incidental to the manufacture, processing or like processes and manufacturing operations and includes wastes such as putrescent garbage from food processing, plants and condemned foods and produce.
<b>Large Metallic Waste</b>	- means any piece of metal or large crate weighting 45 kilograms or more including automobile wreckage or travel trailer wreckage.
<b>Municipality</b>	- means the Rural Municipality of Alexander.
<b>Re-useables</b>	- means items that are made of metal or real wood.
<b>Recyclable</b>	- means any item of household waste that is eligible for funding under the Manitoba Product Stewardship Program and deemed by the Municipality to be separated from the Solid Waste Stream.
<b>Rubbish</b>	- means “combustibles”, consisting of miscellaneous burnable materials such as paper, rags, cartons, boxes, wood shavings/packing material, bedding, rubber, leather and plastics, “non-combustibles”, consisting of miscellaneous materials that are not burnable such as tin cans, metals, ceramics, metal foils and glass; and “yard rubbish” consisting of pruning, grass clippings, weeds, leaves, general garden wastes, exclusive of solid wastes otherwise classified herein.
<b>Solid Wastes or Refuse</b>	- means the useless, unwanted or discarded solid materials resulting from normal community activities including semi-liquid or wet wastes or animal or agricultural wastes with insufficient moisture and other content to be free flowing.
<b>Waste</b>	- includes non-hazardous rubbish, litter, junk, junked appliances or machinery, slimes, tailings, waste of domestic or municipal or mining or factory or industrial origin, effluent or sewage, human or animal waste, solid or liquid manure, or waste product of any kind whatsoever.
<b>The Words “Deposit”, Maintain</b>	- includes respectively depositing, placing, maintaining or delivering either personally or by means of a servant or agent.

### **SECTION 3 – LIST OF SCHEDULES**

- 3.1 Attached to and forming part of the by-law are the following schedules:
- a) Schedule “A” – Deposit Fees by Type and Volume
  - b) Schedule “B” – Hours of Operation

### **SECTION 4 – AMENDMENTS TO THE SCHEDULES**

- 4.1 Council may from time to time, by resolution, amend each and every schedule attached to this by-law.

### **SECTION 5 – DEPOSIT OF WASTE**

- 5.1 No person shall deposit or cause to be deposited waste upon any public or private property in the Municipality, including a highway.
- 5.2 A person may only deposit waste in a container suitable for the purpose.
- 5.3 No facility shall accept Large Metallic Waste.
- 5.4 Waste may only be deposited at the facility on the days and during such hours of operation as the Municipality may from time to time determine and set by resolution.
- 5.5 The Municipality will post a sign at a Waste Disposal Grounds advising of its days and hours of operation.

### **SECTION 6 – RESPONSIBILITIES OF AN AUTHORIZED USER**

- 6.1 Only an authorized user can access and deposit waste at a Waste Disposal Grounds, and may do so only in accordance with the requirements of this by-law, including:
- 6.1 a) Every owner of real property in the Rural Municipality of Alexander must display their Waste Disposal Ground Identification Tag, or provide proof of residency upon request of the Facility Operator.
  - 6.1 b) Every person, authorized by a real property owner, to deposit waste must provide proof of authorization and/or identification if requested by the Facility Operator.
  - 6.1 c) If requested the authorized user must demonstrate the nature and type of the waste to be deposited. The Facility Operator may otherwise refuse entry to the Facility.
  - 6.1 d) Waste must be deposited upon, immediately adjacent to, or as near as is reasonably possible only as and where directed by the Facility Operator.
  - 6.1 e) Authorized user must pay the applicable fees set out in Schedule “A”.
  - 6.1 f) Subject to 4.3 all metallic and bulky waste must be deposited within the separate area or areas of the Waste Disposal Facility designated by the Municipality for the depositing of such waste.
  - 6.1 g) Re-useable wastes must be deposited within the separate area of the Waste Disposal Grounds designated by the Municipality for the depositing of such waste.
  - 6.1 h) Recyclable wastes must be deposited within the separate area of the Waste Disposal Grounds designated by the Municipality for the depositing of such waste
  - 6.1 i) Depositing of rubber tires will require removal of the rims. The rims shall be deposited in the appropriate location for metallic waste and the rubber tire in the area designated by the Municipality for tires.
  - 6.1 j) Yard waste must be deposited within a separate area of the Waste Disposal Grounds designated by the Municipality for the depositing of such waste.

## **SECTION 7 – BEHAVIOUR WITHIN THE FACILITY**

- 7.1 All persons using the Solid Waste Facility shall follow the directions provided by the Facility Operator including leaving the facility at the request of the Facility Operator.
- 7.2 No person shall cause a disturbance in or near a Waste Disposal Ground by:
- a) Fighting, screaming, shouting, swearing, using insulting or obscene language,
  - b) Being drunk, or
  - c) Impeding or molesting other persons,
- 7.3 No person shall loiter at the Waste Disposal Grounds.
- 7.4 No person shall obstruct in any way persons who are in the site or working at the Waste Disposal Facility.
- 7.5 No person shall disturb the peace and quiet of the Facility Contractor or authorized users at the Waste Disposal Grounds.
- 7.6 No person shall remove, damage, obliterate, render illegible, deface, or otherwise interfere with a sign or notice to which reference is made in this by-law.

## **SECTION 8 – RESPONSIBILITIES OF THE FACILITY CONTRACTOR**

- 8.1 The Solid Waste Disposal Facility Contractor shall treat all Users of the Solid Waste Disposal Facility with respect.
- 8.2 The Solid Waste Disposal Facility Contractor shall be a designated officer of the Municipality, and shall have all the powers and authority of a designated officer set out in sections 239, 242 and 245 of the Municipal Act for administering and enforcing this by-law.
- 8.3 The Municipality may appoint Solid Waste Disposal Facility Contractor(s) by resolution.
- 8.4 The Solid Waste Disposal Facility Contractor shall be responsible to maintain discipline within the Solid Waste Disposal Facility.
- 8.5 The Solid Waste Disposal Facility Contractor shall be responsible to maintain a daily record of all fees paid at the Facility plus a daily record of the volume of all materials delivered and disposed at the Solid Waste Disposal Facility.

## **SECTION 9 – FEES & CHARGES**

- 9.1 Fees
- 9.1 a) Additional Fees:
- 9.1 a) i) The Municipality will assess and collect separate handling fees for all other deposits not contained in a “bag”, as defined in this by-law, based on the type and volume of waste to be deposited, as set out in Schedule “A”.
  - 9.1 a) ii) The Municipality reserves the right to make adjustments to the provided details of assessment, collection, and handling fees as it deems necessary.
- 9.1 b) Payment of Fees:
- 9.1 b) i) Fees imposed under this by-law, as determined at the Waste Disposal Facility Contractor shall be by cash paid to the Facility Contractor prior to the deposit of waste within the Facility. Receipts will be issued for cash payments.

9.1 b) ii) Where arrangements are made with the RM of Alexander Department of Public Works in advance of the delivery of waste to the Solid Waste Disposal Facility payment may be done by invoice issued by the Rural Municipality. Invoices issued will be payable within 30-days of the date of the invoice. Invoiced Fees, not paid within this period, may be collected in the same manner as a tax may be collected or enforced under the Municipal Act.

9.1 c) Commercial/ Non-Residential/Organized Deposits:

9.1 c) i) The assessment of fees for deposits of Large Volume Commercial Waste, Large Volume Industrial Waste, Large Volume Demolition or Construction Waste and Authorized Users Waste shall be determined by the Chief Administrative Officer and approved through a Council Resolution.

**SECTION 10 – ENFORCEMENT**

- 10.1 Where the Solid Waste Facility Contractor is of the opinion there is a violation of this by-law, the Facility Contractor may advise the person of the violation, and what must be done to remedy the violation. Where the violation is not remedied to the satisfaction of the Facility Contractor, the Facility Contractor may refuse the person access to the Solid Waste Disposal Grounds and direct them to remedy anything done in violation of the by-law.
- 10.2 The person must comply with the Facility Contractor's directions immediately. If the person fails to comply with the Facility Contractor's order, the Facility Contractor may remedy the violation. The costs of an action or measure taken by the Municipality under this paragraph are an amount owing to the Municipality by the person who violated this by-law and may be collected by the Municipality in the same manner as a tax may be collected or enforced under the Municipal Act.
- 10.3 No person shall permit waste to remain on or at a Waste Disposal Grounds after having deposited it there in contravention of this by-law.
- 10.4 Any person who violates a provision of this by-law, in addition to being subject to the steps set out in Clause 7.2 and 7.3, is also guilty of an offence and is liable on summary conviction and to a fine of not more than \$1000.00.

**SECTION 11 – REPEAL OF BY-LAW**

- 11.1 By-Law No. 24/08 be hereby repealed.

**DONE AND PASSED** in Council duly assembled, in the Council Chambers, in St. Georges, Manitoba, this 22<sup>nd</sup> day of February, 2011.

*Original signed by Ed Arnold*  
Reeve

*Original signed by James Fenske*  
Chief Administrative Officer

READ A FIRST TIME THIS 25<sup>th</sup> day of January A.D. 2011

Resolution #: 78/11

READ A SECOND TIME THIS 22<sup>nd</sup> day of February A.D. 2011

Resolution #: 147/11

READ A THIRD TIME THIS 22<sup>nd</sup> day of Februray A.D. 2011

Resolution #: 148/11

**RURAL MUNICIPALITY OF ALEXANDER**

**BY-LAW NO. 01/11**

**SCHEDULE "A" – DEPOSIT FEES BY TYPE AND VOLUME**

**FREE OF CHARGE:**

- Household Solid Waste Bag
- Recyclables
- Scrap metal
- Tires – with rims removed (NO TIRES ON RIMS ACCEPTED)
- Rims – with tires removed

**THE FOLLOWING APPLICABLE FEES SHALL BE CHARGED AS NOTED:**

<b>SOLID WASTE</b>
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- Bulky Wastes
  - Fridges, Freezers/Air Conditioners (Refrigerant Not Removed)      \$15.00

<b>BULK LOADS</b>
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- |                   |          |
|-------------------|----------|
| • ton truckload   | \$ 50.00 |
| • 3 ton truckload | \$ 60.00 |
| • Tandem load     | \$100.00 |
| • Semi load       | \$150.00 |

**THE FOLLOWING ITEMS ARE ONLY ACCEPTED AT THE ECO CENTRES LOCATED AT THE ST. GEORGES AND TRAVERSE BAY SOLID WASTE SITES**

<b>OIL</b>
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Any petroleum or synthetic crank case oil, engine oil, hydraulic fluid, transmission fluid, gear oil, heat transfer fluid, or other fluid capable of use for lubricating purposes in machinery and equipment.

<b>OIL CONTAINERS</b>
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Any oil container that through use can no longer be used for its original purpose.

<b>OIL FILTERS</b>
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Any spin-on or element style oil filter that is used in hydraulic, transmission or internal combustion engine applications and includes a diesel fuel filter, a household furnace fuel filter, a coolant filter and a storage tank fuel filter, but does not include a gasoline filter, air filter or household furnace air filter.

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**BY-LAW NO. 01/11**

**SCHEDULE “B” – ANNUAL HOURS OF OPERATION**

**COCA COLA FALLS WASTE DISPOSAL GROUNDS**

**Winter Hours (Oct. 1 to Mar. 31)**

Sunday.....NOON – 6:00 P.M.  
Monday..... NOON – 6:00 P.M.  
Tuesday..... NOON – 6:00 P.M.  
Wednesday.....CLOSED  
Thursday.....CLOSED  
Friday.....NOON – 6:00 P.M.  
Saturday.....NOON – 6:00 P.M.

**Summer Hours (Apr. 1 to Sept. 30)**

Sunday.....NOON – 8:00 P.M.  
Monday..... 10:00 A.M. – 6:00 P.M.  
Tuesday..... 10:00 A.M. – 6:00 P.M.  
Wednesday.....CLOSED  
Thursday.....CLOSED  
Friday..... 10:00 A.M. – 6:00 P.M.  
Saturday.....10:00 A.M. – 6:00 P.M.

**ST. GEORGES SOLID WASTE DISPOSAL GROUNDS**

**Annual Hours of Operation**

Sunday .....12:00 P.M. – 5:00 P.M.  
Monday .....9:00 A.M. – 5:00 P.M.  
Tuesday.....9:00 A.M. – 5:00 P.M.  
Wednesday.....9:00 A.M. – 5:00 P.M.  
Thursday.....CLOSED  
Friday.....9:00 A.M. – 5:00 P.M.  
Saturday..... 9:00 A.M. – 5:00 P.M.

**TRAVERSE BAY SOLID WASTE DISPOSAL GROUNDS**

**Winter Hours (September 1 to June 30)**

Sunday.....9:00 A.M. – 5:00 P.M.  
Monday..... 9:00 A.M. – 5:00 P.M.  
Tuesday.....9:00 A.M. – 5:00 P.M.  
Wednesday.....CLOSED  
Thursday.....CLOSED  
Friday.....9:00 A.M. – 5:00 P.M.  
Saturday.....9:00 A.M. – 5:00 P.M.

**Summer Hours (July 1 to August 31)**

Sunday.....9:00 A.M. – 5:00 P.M.  
Monday.....9:00 A.M. – 5:00 P.M.  
Tuesday.....9:00 A.M. – 5:00 P.M.  
Wednesday.....9:00 A.M. – 12:00 P.M.  
Thursday.....9:00 A.M. – 12:00 P.M.  
Friday.....9:00 A.M. – 5:00 P.M.  
Saturday.....9:00 A.M. – 5:00 P.M.

**ALL RM OF ALEXANDER SOLID WASTE DISPOSAL SITES**

**Closed:**

- New Year’s Day
- Good Friday
- Easter Sunday
- Thanksgiving Day
- Christmas Day