

**VILLAGE OF ST. LOUIS
BYLAW NUMBER THREE OF 2012
WASTE MANAGEMENT BYLAW**

**A BYLAW TO PROVIDE A WASTE MANAGEMENT PROGRAM FOR THE
PROPER COLLECTION AND DISPOSAL OF WASTE MATERIAL IN THE
VILLAGE OF ST. LOUIS AND FOR PROVIDING ACCESS TO WASTE
DISPOSAL GROUNDS**

WHEREAS the Council of the Village of St. Louis is empowered to pass a Bylaw for the proper collection and disposal of waste, recyclables and other refuse pursuant to the provisions of *The Municipalities Act* and subject to *The Litter Control Act*, *The Clean Air Act*, and *The Environmental Management and Protection Act*.

NOW THEREFORE, the Council of the Village of St. Louis, in the Province of Saskatchewan hereby enacts as follows:

TITLE

1. This Bylaw shall be cited as “The Waste Management Bylaw”.

DEFINITIONS

2.
 - (a) “Municipality” – shall mean the Village of St. Louis
 - (b) “Village” – shall mean the Village of St. Louis
 - (c) “Council” – shall mean the Council of the Village of St. Louis
 - (d) “Litter” – shall mean any and all miscellaneous waste which when discarded, dropped, placed, blown or carried onto any sidewalk, street, boulevard, lane, park, public place or private premises contributes to untidiness and detracts from Village cleanliness
 - (e) “Rural Municipality” – shall mean The Rural Municipality of St. Louis No. 431
 - (f) “Owner” – shall mean a person who is the legal or beneficial owner of a premise
 - (g) “Occupant” – shall mean a person who, alone or with others is in charge of or has possession of a premise
 - (h) “Waste” – shall mean food scraps, packaging and general household waste that is not considered hazardous to the environment

UTILITY

3.
 - (a) There is hereby established a solid waste utility, the purpose of which is to provide for the storage, collection, transportation and disposal, except where otherwise herein provided, of solid waste originating within the Village.
 - (b) Notwithstanding anything contained in this bylaw, the Village shall not be required to provide collection and disposal of solid waste originating outside of the Village or for non-landfillable solid waste.
 - (c) The solid waste utility established by subsection (a) of Section 3 hereof shall be managed, operated and referred to as the solid waste utility.
 - (d) The Village may contract with any person to supply part or all of the goods or services necessary for the provision of the solid waste utility.
 - (e) The Village shall collect weekly, from each residential dwelling unit in a residential dwelling location, all residential landfillable solid waste that is properly prepared for collection pursuant to this Bylaw.

(f) The Village shall collect weekly, from each commercial unit in a commercial location, all commercial landfillable solid waste that is properly prepared for collection pursuant to this Bylaw.

ADMINISTRATION

4. The Village Administrator may cause to be prepared and printed, and kept up to date, a consolidation of this bylaw and schedules, indices and appendices thereto, and may make such arrangements with respect thereto, and with respect to matters incidental thereto, as may be required.

PROVISIONS FOR THE DISPOSAL OF WASTE

5. (a) Subject to the provisions and conditions set forth in this bylaw the Village shall be responsible for the public collection and removal of solid waste within the limits of the Village.

(b) The collection and removal of solid waste within the limits of the Village of St. Louis shall be done by a man in the employ of the Council, the Village Maintenance Foreman, or the Council may provide for the collection, removal and disposal of solid wastes within the limits of the Village by contract with any person on any terms and conditions that the Council considers expedient, and except as hereinafter mentioned, no householder or other party shall remove or dispose of any refuse or garbage except at their own expense.

(c) The Village Administrator, as directed by Council, shall provide specifications and supervision for the operation of facilities and equipment necessary or desirable for the disposal of waste collected or disposed of within the Village.

(d) The Village Administrator, as directed by Council, shall supervise the collection, removal and disposal of waste within the Village.

(e) The Village Administrator, as directed by Council, shall direct days and times that collections are to be made within the Village.

(f) The Village Administrator, as directed by Council, shall decide as to the quantities and defined classes of wastes to be removed or collected from any premises or accepted by the Village for disposal.

(g) Subject to the provisions of this Bylaw, the decision of the Village Administrator, as directed by Council, as to the amount and type of waste that is accepted from any premises shall be final.

(h) Employees of the Village of St. Louis shall have the right to enter onto a property other than a dwelling for the purpose of performing the duties assigned to them.

(i) No person other than a lawful user thereof or an authorized employee shall open any waste receptacle or container or remove waste put out for collection.

(j) No person shall place automobile parts, batteries, building materials, fences, gates or similar fixtures, dead animals or parts of dead animals, concrete, grease, yard wastes, liquid waste, hazardous substances, inflammable substances, large furniture, major appliances, oil, propane tanks, paint, sod, soil, dirt, tires or any item over one (1.0) metre in length in a container or receptacle for waste collection. Containers and receptacles containing the items mentioned above will not be collected.

(k) No person shall litter as defined in this Bylaw and Section 3 of *The Litter Control Act*. Waste disposed outside the designated collection and disposal system shall be considered littering and the offending party subject to all fines and

penalties relative to *The Litter Control Act* or other similar legislation, policy or procedure.

ACCUMULATION OF WASTE PROHIBITED

6. (a) No person who is the owner or occupant of any land or building shall allow waste of any kind to accumulate upon any land or about any building, except as permitted in this Bylaw.

(b) Notwithstanding anything in subsection 6(a) or elsewhere in this Bylaw, no person shall dispose of waste or allow waste to accumulate in any manner which contravenes the provisions of the Public Health Act, the Regulations made thereunder, or a Bylaw of the Village relating to health, sanitation or nuisances.

DEPOSITING WASTE ON PRIVATE PROPERTY

7. (a) No person shall dispose of waste anywhere in the Village other than in a waste container or at the Rural Municipality Landfill site, at their expense.

(b) No person shall dispose of special items anywhere in the Village. These items must be disposed of at the Rural Municipality landfill at the expense of the person disposing of these items.

(c) A person who has disposed of waste on any land contrary to the provisions of Subsection 7(a), shall remove the said waste upon being required to do so by the owner or occupant of the land or by the Village Administrator, the Medical Health Officer, Public Health Inspector, or a Police Officer, but such removal shall not prevent him from being prosecuted for a contravention of Subsection 7(a).

(d) If the person who has placed waste on land contrary to the provisions of subsection 7(a), cannot be ascertained, the owner or occupants of the land shall remove the waste or cause the waste to be removed from the land upon being directed to do so by the Village Administrator, the Medical Health Officer, Public Health Inspector, or a Police Officer.

AUTOMATED WASTE COLLECTION

8. (a) The Administrator or designate may assign any area of the Village for automated residual waste collection and automated recyclable collection through the use of containers for curbside collection, through the services of a third party waste services provider.

(b) Automated waste and recyclable collection will apply to all residential customers. Automated waste and recyclable collection will apply to all commercial customers unless they have provided for waste and recyclable collection through other means, at their own expense, pursuant to all regulations contained within this Bylaw and other related legislation.

(c) The Village of St. Louis, through a contracted service provider, shall collect residential and commercial residual waste and recyclables as per scheduled pick up notices distributed to customers, as per schedule determined by Village Administrator and contracted service provider.

(d) No person shall damage or deface any automated residual waste or recycling collection bin or container for curbside collection; place waste and /or recyclables beside or on top of a container; place residual waste or any non-recyclable waste material in an automated recyclable waste container; deposit or place any flaming or smoldering material or otherwise cause any fire in an automated residual waste container or automated recyclable waste container.

(e) Persons placing waste in automated residual waste containers and automated recyclable waste containers shall make sure that the containers are closed after the disposal of wastes.

CURBSIDE AUTOMATED RESIDUAL WASTE COLLECTION

9. (a) The Village and/or contracted service provider shall provide containers for curbside automated residual waste collection in care of the occupant of the property. It is the responsibility of the occupant to store and handle the container in such a way that it will not be damaged.
- (b) No property shall be entitled to receive from the Village and/or contracted service provider more than one container for curbside residual waste collection. If more containers are required, SECTION 11 of this Bylaw, ADDITIONAL CONTAINERS, applies.
- (c) The occupant shall deposit residual waste that cannot be recycled, for collection in the container.
- (d) The occupant shall keep the container on the property until after 6:00 PM the day preceding a collection day.
- (e) The occupant shall, before 7:00 AM on collection days, place the container at the curb or front street edge adjoining the property.
- (f) The occupant shall, prior to 6:00 PM of the day following a collection day, remove the container and any uncollected waste from the curb or front street edge adjoining the property and store them on the property.

CURBSIDE AUTOMATED RECYCLABLE COLLECTION

10. (a) The Village and/or contracted service provider shall provide containers for curbside automated recyclable collection in care of the occupant of the property. It is the responsibility of the occupant to store and handle the container in such a way that it will not be damaged.
- (b) The occupant shall deposit only recyclable material, subject to lists provided by service provider, for collection in the container.
- (c) The occupant shall flatten all cardboard boxes and cleanly rinse all plastic or tin containers before placing into automated recyclable container.
- (d) The occupant shall keep the container on the property until after 6:00 PM the day preceding a collection day.
- (e) The occupant shall, before 7:00 AM on collection days, place the container at the curb or front street edge adjoining the property.
- (f) The occupant shall, prior to 6:00 PM of the day following a collection day, remove the container and any uncollected recyclables from the curb or front street edge adjoining the property and store them on the property.

ADDITIONAL CONTAINERS

11. (a) Additional containers are available from the Village of St. Louis for properties that require more than one automated residual waste container or recycling container.
- (b) The fee for extra containers is noted in Schedule "A" and will be determined by the Administrator or designate and charges will be posted to utility invoices on a quarterly basis.

HEALTH AND FIRE BYLAWS NOT SUPERCEDED

12. Nothing in this Bylaw shall be deemed to nullify, amend, supersede or repeal any provisions of any Bylaw or regulation relating to fires or to public health, but in the event of any conflict between such bylaws and this Bylaw, the provisions of this Bylaw shall be modified only to the extent necessary to give effect to the fire or health requirements as the case may be.

BURNING OF WASTE MATERIAL

13. (a) In accordance with the Village of St. Louis Fire Prevention and Control Bylaw, and subject to Section 14(b), the burning of any household waste material within the municipality is strictly prohibited.

(b) Only the burning of seasoned wood products in an outdoor fire pit, subject to the provisions outlined in the Village of St. Louis Fire Prevention and Control Bylaw, shall be permitted within the municipality.

(c) No person shall set, feed or maintain, or cause to be set, fed or maintained, within the limits of the Village of St. Louis, an open fire for the disposal of any materials.

LANDFILL SITE

14. The waste disposal ground provided by the Rural Municipality is the only authorized place for the deposit and disposal of any filth or refuse created in the Village, and not collected by the Village, and anyone found guilty of dumping elsewhere, anything directly or indirectly noxious, offensive or dangerous to health will be punished. Disposal at the Rural Municipality landfill is at the expense of anyone making a disposal at the landfill and is applicable to the rates and fees as set by the Rural Municipality of St. Louis No. 431.

RATES

15. (a) The Village shall from time to time set rates, by resolution of Council, for the collection and disposal of solid waste and recyclables services provided by the Village for both residential dwellings and commercial businesses. These rates will be set out in Schedule "A" to this Bylaw and may be amended from time to time as deemed necessary.

(b) These rates shall be applicable to waste that is properly prepared for collection and disposed of pursuant to the regulations of this Bylaw.

(c) All persons provided with or offered collection services by the Village in a residential dwelling location or a business location shall pay the rates set out in Schedule "A" to this Bylaw applicable to such service.

(d) All persons using the Rural Municipality landfill site shall pay the rates applicable to the service to the Rural Municipality at the rates set by the Rural Municipality Council.

(e) Waste collection fees will be included and form part of the Water & Sewer Utility bill. Failure to pay the waste collection portion of the utility bill will result in a discontinuation of both waste removal and water & sewer service.

(f) Any fees or charges remaining unpaid by the 31st of December of the year the sum became payable may be added to and form part of the taxes on the land in respect of which the collection, removal and disposal was done.

OFFENCES AND PENALTIES

16. (a) Every person commits an offence who:
- (i) allows waste of any kind to accumulate on or in any land or building other than as permitted in this Bylaw;
 - (ii) places or disposes of waste other than as permitted in this Bylaw;
 - (iii) fails to take proper measures to prevent waste from escaping from a vehicle used to transport waste, or allows waste to escape from a vehicle used to transport waste;
 - (iv) being the owner or operator of a vehicle used in carrying out the construction, alteration or demolition of any building, structure or landscaping allows any earth or waste to be deposited upon a street or sidewalk by or from such vehicle, or fails to remove such earth or waste from the street or sidewalk;
 - (v) being a person other than the owner, operator or occupant of a business or residence to which a waste container is assigned or person permitted by the Administrator or service provider disturbs or disrupts the contents of a waste container;
 - (vi) being a person other than the owner, operator or occupant of a business or residence to which a waste container is assigned or person permitted by the Administrator or service provider removes any waste, object or material from a waste container or collection vehicle;
 - (vii) causes or permits any loss of or damage to a waste container;
 - (viii) leaves a waste container on a public right-of-way outside the timelines identified in Sections 9 (d), (e) and (f) and 10 (d), (e) and (f);
 - (ix) fails to maintain a waste container in a sanitary state;
 - (x) being a person other than a person permitted by the owner of a recycling container or the Administrator removes recyclable material from a recycling container or disturbs or disrupts the contents of a recycling container; or
 - (xi) places waste in a recycling container.
- (b) Any person found guilty of an infraction of this bylaw shall be liable to the penalties provided for in subsections (c), (d) and (e) to Section 16 of this Policy.
- (c) In the case of a first offence, to a fine of fifty (\$50.00) dollars and in default of payment, to imprisonment for a period of not more than two (2) days;
- (d) In the case of a second offence committed within a period of twelve (12) months following the commission of a first offence, to a fine of one hundred (\$100.00) dollars and in default of payment, to imprisonment for a period of not more than five (5) days;
- (e) In the case of each third and subsequent offence committed within a period of twelve (12) months following the commission of a first offence, to a fine of five hundred (\$500.00) dollars and in default of payment, to imprisonment for a period of not more than thirty (30) days;
- (f) If any person fails, neglects or refuses to do anything which he is required to do by this Bylaw, such thing may be done by the Council at the expense of the person in default, and the Village may recover the expense thereof with the costs by action in any court of competent jurisdiction or in like manner as municipal taxes.

COMING INTO FORCE

17. (a) This bylaw shall come into force and take effect upon final passing.

REPEAL

18. Bylaw Number THREE of 2007 is hereby repealed.

Mayor

Administrator

VILLAGE OF ST. LOUIS
 SCHEDULE "A"
 TO BYLAW NUMBER THREE OF 2012

	<u>Rates</u> <u>per month</u>	<u>\$ on Utility Bill</u> <u>per quarter</u>
Residences (charge per utility account)	\$11.50	\$34.50
Multi-unit dwellings (charge per utility account)	\$11.50	\$34.50
St. Louis Housing (Senior Duplexes)	\$11.50	\$34.50
TransGas	\$11.50	\$34.50
Catholic Church	N/A	N/A
Catholic Rectory	\$11.50	\$34.50
Emmanuel Church	N/A	N/A
Care Home	\$11.50	\$34.50
Sunsetview Lodge	\$23.00	\$69.00
St. Joseph's Club	\$11.50	\$34.50
Restaurants	\$11.50	\$34.50
All other businesses	\$11.50	\$34.50
Additional Containers	\$11.50	\$34.50