

**VILLAGE OF STIRLING  
IN THE PROVINCE OF ALBERTA  
Bylaw No. 464-16  
Waste Management Bylaw**

**A BY-LAW OF THE VILLAGE OF STIRLING IN THE PROVINCE OF ALBERTA  
RESPECTING THE REGULATION AND MANAGEMENT OF WASTE AND REFUSE**

**WHEREAS**, the Village Council has determined it is expedient to establish a Waste Management Bylaw of the Village of Stirling;

**WHEREAS**, the Municipal Government Act RSA 2000, Chapter M-26 and amendments thereto, provides the Village Council with the authority to deal with the accumulation, transportation and disposal of waste;

**NOW THEREFORE** the Council of the Village of Stirling, in the Province of Alberta, duly assembled, thereby enacts as follows:

**PART 1 - INTERPRETATION**

1. This Bylaw may be cited as the "Waste Management Bylaw".

**PART 2 - APPLICATION**

2.1 This Bylaw applies to all Waste produced, generated, located or transported within the boundaries of the Village.

**PART 3 - DEFINITIONS**

Unless the context otherwise indicates, the following terms have the following definitions for the purpose of this Bylaw:

- 3.1 "Alley" means a narrow laneway intended chiefly to give access to the rear of buildings and parcels of land;
- 3.2 "Bylaw Enforcement Officer" means a Person appointed by the Village pursuant to Section 555 of the Municipal Government Act;
- 3.3 "CAO" means the Chief Administrative Officer for the Village appointed by Council in accordance with the Municipal Government Act;
- 3.4 "Council" means the Municipal Council of the Village of Stirling;
- 3.5 "Designated Officer" means a person appointed pursuant to Section 210(1) of the Municipal Government Act;
- 3.6 "Disposal Site" means any location designated by the Village for the disposal of Waste or any other location approved by Alberta Environment for the disposal of Waste;
- 3.7 "Garbage" has the same meaning as "Waste";

- 3.8 "Municipal Government Act" means R.S.A. 2000, Chapter M-26, as amended or repealed and replaced from time to time;
- 3.9 "Municipal Tag" means a notice issued by the Village pursuant to Section 7 of the Municipal Government Act, for the purpose of providing a Person with an opportunity to acknowledge a contravention of this Bylaw, and to pay a penalty directly to the Village, in order to avoid prosecution for the contravention;
- 3.10 "Occupant" means a Person occupying Premises, including an Owner, lessee or licensee, or anyone who has actual use, possession or control of the Premises including a general contractor with respect to a Construction Site;
- 3.11 "Owner" means the registered owner of real property;
- 3.12 "Person" includes any individual, firm, partnership or body corporate;
- 3.13 "Premises" means real property and all buildings, structures and improvements thereon;
- 3.14 "Road" means land shown as road on a plan of survey that has been filed or registered in a land titles office;
- 3.15 "Village" means the municipal corporation of the Village of Stirling, or the geographical area of the Village, as applicable;
- 3.16 "Violation Ticket" means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act R.S.A. 2000, Chapter P-34;
- 3.17 "Waste" means any discarded refuse including, but not limited to, such items as dry waste, food waste, construction waste, and yard waste generated by any residential, commercial or industrial property;
- 3.18 "Waste Management Policy" means the standard of practice of solid waste collection followed by the Village of Stirling as outlined in Appendix "B".

#### **PART 4 - AUTHORITY OF THE CAO**

- 4.1 The CAO is responsible for the administration and enforcement of this Bylaw, and may delegate this authority and he/she, in his/her sole discretion, deems appropriate.

#### **PART 5 - RESTRICTED AND PROHIBITED WASTE**

- 5.1 Any Person who breaches any of the sections in this Part of the Bylaw shall be responsible for all costs incurred in eliminating any pollution or contamination of the Disposal Site or any other property in the Village and shall make payment of same to the Village on demand for same. Payment of such costs or payments will not exempt the Person from prosecution for contravention of this Bylaw.

#### **PART 6 - GENERAL PROVISIONS**

- 6.1 No Person shall dispose of Waste other than in accordance with the terms of this Bylaw and the Waste Management Policy (Appendix "B") or at a Disposal Site appropriate for the type of Waste being disposed.

- 6.2 Whenever in this Bylaw it is directed that an Owner, Occupier, or Person shall do any manner of thing, then in default of its being done by such person, the same may be done by the Village at the expense of such person and the Village may recover the expense thereof with costs in any Court of competent jurisdiction or in like manner as municipal taxes.
- 6.3 Any Person who disposes of Waste contrary to the provisions of this Bylaw or the Waste Management Policy is guilty of an offence and, in addition to any other penalty or fine that may be imposed, is responsible for the cost of removing the Waste and the proper disposal of the Waste.
- 6.4 Nothing contained within this Bylaw relieves any Person from complying with any Federal, Provincial or municipal law, regulation, bylaw, permit, order, consent or other direction.
- 6.5 Every provision of this Bylaw is independent from 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.

## **PART 7 - OFFENCES AND PENALTIES**

### **Designated Officers**

- 7.1 The CAO and Bylaw Enforcement Officers are Designated Officers for the purposes of inspection and enforcement under this Bylaw.
- 7.2 Where a Designated Officer finds that an Owner, Occupant, Consumer or Person is contravening any provision of this Bylaw, in addition to any other remedy provided, the Designated Officer may issue an Order to the Owner, Occupant, Consumer or Person responsible for the contravention pursuant to Section 545 or 546 of the Municipal Government Act, as applicable, directing that the Owner, Occupant, Consumer or Person responsible for the contravention or any or all of them take the steps necessary to remedy the contravention in a time period set by the Designated Officer.

### **Inspection**

- 7.3 A Designated Officer under this Bylaw has the right to enter upon and inspect any Premises for the purposes of determining compliance with and enforcing this Bylaw in accordance with Section 542 of the Municipal Government Act.

### **Offences**

- 7.4 Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to the applicable penalties set out in Appendix "A".
- 7.5 Any Person who provides false information to the Village, the CAO, a Designated Officer or to any other person empowered to enforce the terms of this Bylaw, is guilty of an offence and, upon summary conviction, shall be liable to the applicable penalties set out in the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, and any amendments and regulations thereto, and the Village's Fee Schedule, as established by Council from time to time.

## **Municipal Tags**

- 7.6 A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Municipal Tag to any Person whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 7.7 A Municipal Tag shall be served upon such Person personally, or in the case of a corporation, by serving the Municipal Tag personally upon the Manager, Secretary or other Officer of the corporation, or a person apparently in charge of the office, or by mailing a copy to such Person by registered mail.
- 7.8 Where personal service cannot be effected upon a Person, the Bylaw Enforcement Officer may serve the Municipal Tag by leaving the Tag with a Person on the Premises who has the appearance of being at least eighteen (18) years of age.
- 7.9 A Municipal Tag shall be in a form approved by Council, and shall contain the following information:
- a) The name of the Person to whom the Municipal Tag is issued;
  - b) The date of issuance;
  - c) A description of the offence, the section number of the Bylaw, and the date on which the offence occurred;
  - d) The appropriate penalty for the offence as specified in the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, and any amendments and regulations thereto, and the Village's Rates Bylaw, as established by Council from time to time;
  - e) That the penalty shall be paid within prescribed time; and
  - f) Any other information as may be required by the CAO from time to time.
- 7.10 Where a Municipal Tag has been issued pursuant to Section 7.5, the Person to whom the Municipal Tag has been issued, may, in lieu of being prosecuted for the offence, pay to the Town, the penalty specified on the Municipal Tag, within the time period provided.
- Violation Tickets

## **Violation Tickets**

- 7.11 In those cases where a Municipal Tag has been issued and the penalty specified on the Municipal Tag has not been paid within the prescribed time, the Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act.
- 7.12 Notwithstanding Section 7.6 above, a Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw, notwithstanding that a Municipal Tag has not first been issued.
- 7.13 Where a Violation Ticket has been issued to a Person pursuant to this Bylaw, that Person may plead guilty to the offence by submitting to a Clerk of the Provincial Court, the specified penalty set out on the Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.

## PART 8 - NOTICES

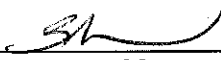
- 8.1 Unless a provision of this Bylaw dictates otherwise, any notice required to be given pursuant to this Bylaw may be given by registered mail, personal service, or by posting the notice at a location on the premises where the notice is likely to come to the attention of the Person to whom it has been issued.

This bylaw shall become effective upon the third and final reading.

Read a first time this the 18<sup>th</sup> day of May, 2016

Read a second time this the 1<sup>st</sup> day of June, 2016

Read a third time and passed this the 15 day of June, 2016

  
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Mayor - Ben Nilsson

  
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CAO - Mike Selk

## APPENDIX "A"

### Fines and Penalties Bylaw No. 464-16

The fine for violating any provision of this Bylaw is as follows:

- a) \$200.00 for the first offence,
- b) \$500.00 for the second offence, and
- c) \$750.00 for the third and all subsequent offences.

## APPENDIX "B"

### WASTE MANAGEMENT POLICY MOTION #

#### **PURPOSE:**

To delineate all of the details related to the collection and disposal of waste for businesses, commercial institutions and residents within the Village of Stirling.

#### **POLICY STATEMENT:**

The Village of Stirling Waste Management Policy will outline all of the requirements, rules and details for businesses, commercial institutions and residents to dispose of their waste through the Village solid waste collection programs including cart collection and Transfer Station operation.

#### **WASTE COLLECTION PROCEDURE:**

##### General Rules

In order to establish a standardized method of collecting waste the Village and Village businesses, commercial institutions, and residents shall adhere to the following regulations:

1. Waste includes:
  - a) Wet or dry offal refuse, animal and vegetable matter created from a domestic or commercial kitchens, stoves, or ovens.
  - b) Waste or trash created from domestic activities
2. Waste does not include:
  - a) Waste or trash from lawn and gardens (including grass clippings)
  - b) Trees
  - c) Manure
  - d) Dead Animals
  - e) Any larger object that does not fit into a Village issued 360L waste collection cart.
  - f) Dangerous, toxic or hazardous waste
  - g) Concrete
  - h) Dirt
  - i) Automobile bodies
3. Every residency shall be provided with one 360L Waste Collection Cart provided by the Village.
4. Every residency shall only use the Village issued Waste Collection Cart for the disposal of their waste.
5. Every Village issued Waste Collection Cart shall be the sole responsibility of the property owner.
6. If a Village issued Waste Collection Cart is lost, stolen, damaged, or another Waste Collection Cart is required the replacement cost shall be absorbed by the property owner.

7. All waste that is deposited into the Village issued Waste Collection Cart shall be bagged in a plastic bag tied at the top and shall fit into the Waste Collection Cart so that the lid can close.
8. Every residency and Village business on the collection day shall:
  - a) Place only the Village issued Waste Collection Cart within 0.6 m (2 feet) of the curb or traveled area of the street before 8:00 a.m. with the arrow (on the lid of the Waste Collection Cart) facing the street.
  - b) Ensure that there is nothing that would obstruct the automated pickup of the Waste Collection Cart by ensuring that there is nothing located directly in front of the Waste Collection Cart and that there is nothing found within a 1 m (3.3 feet) circumference of the Waste Collection Cart.
  - c) Ensure that the Waste Collection Cart is returned to their property before 10:00 p.m. the day of collection.
9. If a residency or Village business is not in adherence to section 8 the cart will not be picked up on that day and will only be picked up next week on the scheduled collection day, if it is in adherence to Section 8.
10. The Village of Stirling will collect waste carts from each residency and Village business once a week on Tuesday.
11. If a scheduled pickup as outlined in Section 10 falls upon a statutory holiday the waste shall be collected on the next business day.
12. Commercial institutions will be required to contract waste collection services from a qualified garbage collection company and shall do so on a regular weekly basis unless otherwise required by the Village of Stirling.

### **Transfer Station**

The purpose of this section is to outline the hours of operation, explain what acceptable and non-acceptable waste is and to set guidelines for the Stirling Transfer Station.

13. The Transfer Station shall have the following hours of operation:

#### **Summer Hours - April 1<sup>st</sup> to October 31<sup>st</sup>**

Tuesday 4:00 p.m. – 8:00 p.m.  
Thursday 4:00 p.m. – 8:00 p.m.  
Saturday 9.00 a.m. – 4:00 p.m.

#### **Winter Hours - November 1<sup>st</sup> to March 31<sup>st</sup>**

Tuesday 4:00 p.m. – 8:00 p.m.  
Saturday 9.00 a.m. – 4:00 p.m.

### **PROCEDURE:**

#### **General Rules**

14. Turn off vehicle while unloading in station.



15. Please ensure that all garbage is secured while transporting waste to the Transfer Station.
16. Litter on the way to the Transfer Station is not acceptable and will be subject to the fines and penalties as outlined in "Appendix A" of Bylaw No. 464-16 Waste Management.
17. Children are to remain in the vehicle while unloading.
18. Domestic Garbage Only will be accepted.
19. Scavenging is not permitted unless authorized by the Village of Stirling.
20. Transfer Station Operator has the right to inspect any load. The Transfer Station Operator may refuse any waste that in the judgment of the Operator should be rejected by reason of unknown content that may be a hazard.
21. The following waste products must be placed inside the Stirling Transfer Station Shed in accordance with the Chief Mountain Regional Solid Waste Authority Standards.
  - a) Domestic Garbage.
  - b) Ashes.
  - c) Microwaves, Video recorders, DVD players and stereos.
  - d) P.V.C pipe, vinyl siding. To be broken into 4ft pieces and put inside on the side of the building.
  - e) Couches, mattresses, box springs, rolls of carpet, plastic sheeting such as silage cover. To be placed inside on the side of the building.
22. The following waste products must be placed outside, in the designated disposal bin area, as directed.
  - a) Metal scraps. To be no bigger than 6ft.
  - b) Branches. To be no bigger than 6ft.
  - c) E-Waste. E-Waste includes: Televisions, Computers, including hard drives, computer mouse, keyboards and monitors.
  - d) Paint.
  - e) Grass clippings.
23. The following waste products will not be accepted at the Stirling Transfer Station.
  - a) Liquid Wastes.
  - b) Any commercial waste.
  - c) Toxic or hazardous substances including flammable liquids.
  - d) Propane Tanks.
  - e) Car or truck bodies and parts.
24. Recyclable goods can be disposed of at the Stirling Recycling Trailer. All recyclable goods must be correctly sorted and disposed of in the Stirling Recycling Trailer located in the 300 Block of 4<sup>th</sup> Avenue.

#### **CONSTRUCTION SITE WASTE**

25. Every owner and occupant, including the general contractor of a construction site shall ensure the following:
  - a) There are sufficient waste receptacles to contain the construction waste.
  - b) A construction site is maintained in a tidy manner and is free of any debris or construction waste.
  - c) Construction waste does not remain loose, free or uncontrolled on the premises.

- d) Proper disposal of the construction waste at an appropriate disposal site.
- e) Any waste that escapes from the construction site is retrieved and deposited into a waste receptacle designated for the construction site.
- f) Shipping containers are prohibited in the Village of Stirling as per Land Use Bylaw No. 415-08.

26. The Village may require the owner, occupant or general contractor to provide fencing that will prevent construction waste from escaping the construction site.

### **HAZARDOUS WASTE**

- 27. Any person that produces or possesses any dangerous, toxic or hazardous waste shall remove, transport and dispose of such waste in accordance with applicable Provincial and Federal statutes and regulations.
- 28. No person shall dispose of dangerous, toxic or hazardous waste into any waste receptacle located on Village owned property.

### **ANIMAL CARCASSES**

- 29. No person shall bring a dead horse, cow, pig, sheep, or other large animal into the Village for disposal.
- 30. No person responsible for an animal shall permit an animal carcass to remain on any road for longer than four (4) hours after the carcass is discovered.
- 31. A person that is responsible for a dead animal located on a road shall dispose of the animal carcass at their own cost.
- 32. An owner of a dead cat, dog or other small animal shall dispose of the animal in a proper manner at their own cost.

### **GENERAL RULES**

- 33. No Person shall:
  - a) Import waste of any kind into the Village for disposal.
  - b) Transport waste within the Village unless it is securely covered in such a manner as to prevent the waste from falling out of the vehicle during transportation. If waste does escape during transportation the owner or person driving the vehicle must clean up the waste immediately.
  - c) Place waste of any type on a road or other public place.