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**TOWN OF CLARESHOLM
PROVINCE OF ALBERTA
BYLAW #1387**

Being a bylaw of the Town of Claresholm providing for the collection and disposal of waste material throughout the Town and the encouragement of recycling.

WHEREAS Section 7 of the Municipal Government Act provides that a Council may pass bylaws for municipal purposes for the safety, health and welfare of people and the protection of people and property.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF CLARESHOLM DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This bylaw may be cited as the "Waste Bylaw."
2. (1) In this bylaw unless the context otherwise requires:
 - a) "Building waste" means all waste produced in the process of construction, altering or repairing a building, including earth, vegetation and rock displaced during the process of building.
 - b) "Town" means the corporation of the Town of Claresholm or the area contained within the boundaries thereof, as the context requires.
 - c) "Collector" means a person who collects waste within the Town for and on behalf of the Town.
 - d) "Medical Health Officer" means the official in charge of the Headwaters Health Unit.
 - e) "Occupant" shall mean a person or corporation in actual possession of any premises either as owner, tenant or otherwise.
 - f) "Street" means a public thoroughfare within the Town and includes where the context so allows, the sidewalk and borders of the street and all parts appearing in the Land Titles Office as set aside for a public thoroughfare when used in distinction to a lane it means the public thoroughfare on which premises in question front.
 - g) "Waste" shall mean any discarded or abandoned organic or inorganic material.
 - h) "Waste Receptacle" means a container designed or used for containing waste awaiting collection and disposal.
- (2) This bylaw applies to all waste produced within the boundaries of the Town.
3. Except as otherwise provided in this bylaw the Town shall provide for the public collection and removal of waste within the limits of the Town.
4. (1) The occupant of any premises in the Town from which waste is to be collected shall provide and maintain in good condition a number of waste receptacles conforming to the specifications prescribed in this bylaw, sufficient to hold a minimum of one week's accumulation of waste from the premises.

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4. (2) Except as otherwise provided no person shall place waste from a building or premises elsewhere than in waste receptacles which comply with the requirements of this bylaw.
 - (3) Waste receptacles required to be supplied by the occupant of any premises within the Town shall be made of galvanized metal or plastic with a water-tight cover and fixed handles. For domestic premises each waste receptacle shall have a capacity of not less than 2 ½ cubic feet and not more than 3 cubic feet and for commercial premises a capacity of not less than 2 ½ cubic feet and not more than 4 cubic feet.
 - (4) Where the owner or occupant of premises places waste in a receptacle other than one which meets the specifications set out in this bylaw, the collectors are entitled to consider such receptacles as waste and to remove them with the waste.
 - (5) The Collector at his discretion shall have the right to refuse to remove any garbage where the container does not meet the necessary requirements or is in a dilapidated, unsafe or unsanitary condition.
5. A collector shall not be required to remove any waste receptacle which, together with its contents, exceeds 75 pounds in weight.
6. (1) Except as otherwise herein provided no person shall place or keep waste receptacles upon any portion of a street, or lane and any such waste receptacle placed on a portion of a street or lane may be removed and disposed of by the Town.
 - (2) Where waste is to be collected from premises situated on land abutting a lane, the owner or occupants of the said premises shall place and keep the waste receptacles immediately adjacent to the land and in a place to which the collectors have unobstructed convenient access.
 - (3) Where premises from which waste is to be collected do not abut a lane or where special conditions make it impracticable to keep and place such receptacles at rear of the premises the occupant of such premises shall place the waste receptacles immediately inside the property line at the front of the premises.
 - (4) Where premises from which waste is to be removed includes no space outside the building for the placing of receptacles on the site in a manner that the collector may have access to them for collection purposes, an owner or occupant of the premises may place the waste receptacle for collection purposes on the portion of the sidewalk or street border adjoining the traveled portion of the street after the hour of 4 o'clock in the morning of the day when the Town collects waste from the premises and shall remove any such waste receptacles from the street or portion thereof within one hour after collection is made.
 - (5) Where in the opinion of the town, it is impractical to store waste receptacles outside of the building the collector may make collection of waste from inside of a building with the owner's permission.

- 7. The occupant of premises from which waste is to be collected:
 - a) Shall place or locate the waste receptacles for collection in such manner that they will not overturn or be likely to be overturned.
 - b) Shall, when the premises are fenced from the lane, or street where the collection is made, construct a door in the fence opening upon the place where the waste is placed near the regular gate or other access. The occupant shall keep the door, gate or other access clear of snow and any other obstruction in order that the collector may have an easy access to the waste receptacles at all times.

- 8. (1) An occupant of premises from which garbage is to be collected shall:
 - a) Securely tie discarded clothing and fabric, newspapers, waste paper and magazines, and place the same beside the waste receptacles for collection.
 - b) Bag leaves and grass clippings in clear plastic bags which will be picked up by the collector once per week and taken to the compost area by the collector.
 - c) Quench all ashes for collection and put them in separate waste receptacles from the other waste.

(2) Collectors shall not collect ashes which are not properly quenched and appear to be hot or likely to cause a fire.

- 9. (1) Subject to the provisions of subsection (2); (3) and (4) of this section the Town shall cause to be collected:
 - a) From each dwelling house once a week.
 - b) To the extent that the circumstances require with the frequency that the Town shall direct from:
 - (i) hotels, restaurants and apartment houses
 - (ii) business and professional offices
 - (iii) retail and wholesale merchants
 - (iv) other commercial premises, whether similar or dissimilar
 - (v) industrial premises.

(2) The Collector shall not remove the following from premises on which dwellings are located:

 - a) discarded furniture including appliances, discarded automobile parts, tires, and other private vehicles and household equipment.
 - b) tree limbs, whole shrubs or bushes, portions of hedges.
 - c) fences, gates, other permanent and semi-permanent fixtures on the premises
 - d) without limiting the foregoing, any discarded household chattel, material or equipment which has an overall weight of more than 75 pounds or an overall length of more than 4 feet, except on an bi-annual clean up.

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- e) Any recyclable material which is collected by the local centre.
- (3) The Collector shall not collect from commercial or industrial premises:
- a) discarded heavy machinery
 - b) by-products of manufacturing
 - c) heavy or bulky wrapping, packaging or crating materials or cases of length greater than 4 feet or weight greater than 75 pounds.
 - d) cardboard or any other material collected by the local recycling centre.
- (4) The Collector shall not collect at any time the following:
- a) building materials and building waste
 - b) dead animals.
10. The Council of the Town of Claresholm may order a clean-up campaign in the spring and fall of each year at which time all refuse will be picked up with the exception of earth, gravel, rock, concrete, building refuse, large tree trunks, car bodies, manure and dead animals, Town lanes shall be kept clear of waste and debris at all times, except during the period two (2) weeks prior to the date set for the commencement of the spring clean-up campaign.
11. (1) A person carrying out the construction or alteration of buildings or other building operations shall remove from any portion of the street adjacent to such work and from any public place where the same have been deposited all earth, rubbish or waste materials.
- (2) All waste unacceptable for removal by the Town shall be disposed of in the Sanitary Land Fill by the occupant. Waste transported to the Sanitary Land Fill shall be properly covered with canvas or tarpaulins so as to prevent the contents from falling on the streets.
12. No person shall convey through any street in the Town any waste in a vehicle which is not properly covered with canvass or tarpaulins to prevent the contents from falling on the streets.
13. It shall be unlawful for any person to dump waste material anywhere within the limits of the Town of Claresholm, except in their own personal waste containers. Persons apprehended dumping waste of any kind into private waste containers other than their own are subject to the penalties of this bylaw.
14. a) For the purpose of this section:
- (i) "Occupant" means a person contracting with the Town for the supply of water to any premises.
 - (ii) "Premises" means any land, building or part of a building supplied with water under a contract with the Town.
- b) A charge shall be levied as set out in addendum "A" to this bylaw.
- c) Accounts for waste collection service shall be forwarded bi-monthly to the occupier of premises and shall be payable at the Town office or financial institutions.

- 14. d) Industrial or commercial accounts shall be billed on a monthly basis.
- e) Where the occupant is the owner or purchaser of premises the sum payable by him for waste removal services is a preferential lien and charge on the personal property of the debtor and may be levied and collected in like manner as municipal rates and taxes are recoverable. Where the occupant to whom waste removal service has been supplied is a person other than the owner or purchaser of the premises, the sum payable by the occupant is a debt due by him and shall be preferential lien and charge on his personal property and may be levied and collected with costs by distress.
- 15. Recycling is encouraged throughout the Town.
 - a) The Town has entered into a recycling agreement with Willow Creek Recycling and encourages the recycling of cardboard, paper, glass, tin and milk containers.
- 16. A person contravening any provision of this bylaw is guilty of an offence and is liable upon summary conviction in a court of competent jurisdiction to a fine:
 - 1) not exceeding \$75.00 for the 1st offence
 - 2) not exceeding \$100.00 for the second offence
 - 3) not exceeding \$150.00 for the third offence.
- 17. This bylaw shall come into force and take effect on the day of the final passing thereof.

Read a first time in Council this 14 day of December 1998 A.D.

Read a second time in Council this 11 day of January 1999 A.D.

Read a third time in Council and passed this 11 day of January 1999 A.D.

Larry Flexhaug, Town Coordinator

E. R. Patterson, Mayor