

**TOWN OF SAINTE-ANNE
BY-LAW NO. 14-2014**

Being a by-law of the Town of Sainte-Anne to establish
And operate a Waste Management System in the Town of Sainte-Anne

WHEREAS Section 250(2) of the Municipal Act, S.M. provides that:

250(2) Without limiting the generality of subsection (1), a municipality may for municipal purposes do the following:

- (a) acquire, hold, mortgage and dispose of land, improvements and personal property, or an interest in land, improvements and personal property;
- (b) construct, operate, repair, improve and maintain works and improvements;
- (c) acquire, establish, maintain and operate services, facilities and utilities;
- (d) enter into agreements with a person, with an agency of the Governments of Manitoba or the Government of Canada, or with another municipality, inclining municipality in another province, to do with or on behalf of the municipality anything the municipality has the power to do within the municipality;
- (e) use municipal equipment, materials and labour to carry out private works on private property.

AND WHEREAS Section 252(1) of the Municipal Act provides that:

252(1) A municipality exercising powers in the nature of those referred to in clauses 250 (2) (b), (c) and (e) may set terms and conditions and respect of users including;

- (a) setting the rates or amounts of deposits, fees and other charges, and charging and collecting them;
- (b) providing for a right of entry onto private property to determine compliance with other terms and conditions, to determine the amount of deposits, fees or other charges, or to disconnect a service;
- (c) discontinuing a service and refusing to provide the service to users who fail to comply with the terms and conditions;

AND WHEREAS the Council of the Town of Sainte-Anne deems it expedient, and in the best interest of the Town of Sainte-Anne to implement a Waste Management System;

THEREFORE BE IT AND IS ENACTED as a By-Law of the Town of Sainte-Anne as follows:

1. NAME

1.01 This By-Law shall be cited as “The Waste Management By-law”.

2. DEFINITIONS

2.01 In this by-law, unless the context otherwise requires

- a) “*Commercial Premises*” shall all those premises which are zoned “Commercial”
- b) “*Industrial Premises*” shall mean all those premises which are zoned “Industrial”
- c) “*Institutional Premises*” shall mean premises where the principal use is health care, residential care, education, recreation or public assembly and shall include, but is not limited to hospitals, personal care homes, elderly housing, schools, child care facilities, arenas, rinks, community centres, clubs, halls and religious institutions

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2. DEFINITIONS (Con't)

- e) "*Person*" shall mean any individual and includes a corporation, firm, partnership, institution and association
- f) "*Premises*" shall mean a building or buildings including the associated land
- g) "*Residential Premises*" shall mean single family dwelling, duplexes, apartments, condominium complexes and mobile homes
- h) "*Residential Unit*" shall mean one or more rooms in a building designed for one (1) or more person as a single housekeeping unit with cooking, eating, living, sleeping and sanitary facilities.
- i) "*Town*" shall mean the Town of Sainte-Anne
- j) "*Waste*" shall mean all classes of waste set forth in Section 3 of this By-Law

3. CLASSES OF WASTE

3.01 For the purposes of this By-Law the following Classes of Waste are hereby prescribed:

- a) "*Agricultural Waste*" shall mean excess materials derived from agricultural activities and without limiting the generality of the foregoing shall include but is not limited to crop residues, herbicides, pesticides, fertilizers and like materials from all agricultural pursuits
- b) "*Animal Waste*" shall mean manure, excrement, carcass or any parts or mixtures thereof but does not include excrement from household domestic pets such as, but not limited to dogs and cats
- c) "*Bulky Waste*" shall mean an item or thing, having a weight which exceeds thirty-two (32) kilograms (seventy-five (75) pounds) or a total dimension which exceeds three (3) cubic meters (7 cubic yards) and without limiting the generality of the foregoing includes appliances, furniture, auto parts, large crates, packing products, tree boughs, branches, stumps, hay and straw.
- d) "*Combustible Waste*" shall mean, but is not limited to tree boughs, branches, stumps, wood and lumber and includes cardboard
- e) "*Construction/Demolition Waste*" shall mean a mixture of waste building materials and rubble resulting from construction, remodeling, renovations, repairs, demolition in the Town of Sainte-Anne
- f) "*Excavation Waste*" shall mean natural soil, earth, sand, gravel, asphalt, concrete and stone or any parts or mixtures thereof
- g) "*Hazardous Waste*" shall mean a substance that is designated a hazardous waste regulation under the Dangerous Goods Handling and Transportation Act
- h) "*Industrial Waste*" shall mean solid or liquid waste materials resulting from, or incidental to the manufacture, processing or like operation of factories, processing plants, industrial processes and manufacturing operations and includes waste such as putrescible waste from food processing plants and rendering plants and condemned foods and products
- i) "*Landfill Waste*" shall mean all discarded waste but does not include Agricultural Waste, Animal Waste, Ashes, Combustible Waste, Construction/Demolition Waste, Excavation Waste, Industrial Waste, Liquid waste, Metallic Waste, recyclable Waste and Yard Waste
- j) "*Liquid Waste*" shall mean sewage, sewage effluent and sludge from septic tanks, holding tanks, and municipal sewage treatment systems
- k) "*Metallic Waste*" shall mean but is not limited to derelict vehicles, farm machinery, appliances and other items, goods or things that are comprised entirely or mostly of a metal substance or substances
- l) "*Ozone Depleting Substance*" shall mean substances as regulated under the Ozone Depleting Substances Act
- m) "*Recyclable Waste*" shall mean those wastes as accepted by local recycling processors
- n) "*Waste Oil*" shall mean waste oil, lubricants. Grease, petroleum and like substances
- o) "*Waste Tire*" shall mean tires discarded for the reason of wear or damage

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p) “Yard Waste” shall mean leaves, grass clippings, garden and flower bed vegetation, and tree trimmings

4. REMOVAL AND DISPOSAL

4.01 Residential Units shall receive weekly curbside collection and disposal of allowable waste pursuant to the By-law

4.02 Any wastes not collected curbside may be transported by the resident/rate payer to the Steinbach nuisance Grounds for disposal

4.1 REMOVAL AND DISPOSAL – RESIDENTIAL PREMISES

4.11 Persons occupying a Resident Unit as defined under this By-Law who reside in a single family, two family or Multi-Family Residential Premises and persons occupying a commercial unit without a bin may place for collection by the Town of Sainte-Anne or its designated officers the following classes of Waste and they shall be placed in authorized containers and the container shall be placed at such allocation for collection as herein after specified:

Landfill Waste
Yard Waste
Combustible Waste
Recyclables

4.12 Persons occupying a Residential Unit who resides in a single family, two family or Multi-Family Residential Premise and commercial business that do not have a bin shall place for collection:

- a) Unlimited bags of Recyclable Waste bi-weekly per allowable Residential Unit or Commercial Unit
- b) Yard Waste and combustible Waste, weekly on every Monday, on the conditions that same be secured as provided for in Section 4.13 of this by-law.

4.13 Persons occupying a Residential Unit who resides in a single family, two family or Multi-Family Residential Premise and persons occupying a Commercial Unit without a bin shall place for collection the following Classes of Waste in the following containers:

- a) Landfill Waste shall be placed in a garbage bag, having a maximum size of 67cm by 92 cm (26”x36”) and not exceeding 20 kilograms (45 pounds) in weight
- b) Yard waste shall be placed in a paper or garden bag having a maximum size of 76 cm by 122 cm (30” by 48”) and not exceeding 20 kg’s (45 lbs) in weight. Combustible waste, where practical, shall be placed in a paper bag having a maximum size of 76 cm by 122 cm and not exceeding 20 kg’s in weight. Where it is not practical to place combustible weight in the authorized bag, the waste shall be bundled and securely tied and shall not exceed 122 cm (48”) in length and 92 cm (36”) in width.

4.14 Allowable waste for curbside collection shall be placed for collection in containers, no earlier than 8:00 pm the night before pickup and 8:00 a.m. on the waste collection days, on the Residential or Commercial property being serviced, immediately adjacent to the front property line and easily accessible from the street. Where the placement of the waste container does not restrict or impede pedestrian or vehicular traffic, the waste container may be placed between the property line and the road edge

4.15 Persons occupying a Residential Unit who resides in a single family, two family or Multi Family Residential Premise or persons occupying a commercial unit without a bin who fail, refuse, or neglect to comply with the placement of wastes at the curbside for collection in the containers designated in Section 4.13 of this

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By-Law shall be provided a Notice from the Town advising the container requirement has not been met. If the person occupying the Residential Unit or Commercial Unit fails, refuses, or neglects to comply with the proper container requirements on any subsequent collection day or days the Town or its designated officers shall discontinue the waste collection service until such time as the container requirement has been complied with

5. PROHIBITED WASTE

5.01 No person shall dispose of any Class of Waste in an unauthorized or illegal manner.

6. RIGHT OF ENTRY TO PRIVATE PROPERTY

6.1 The Town or its designated officers may enter upon any premise for any purpose related to the administration and enforcement of this By-Law

7. LANDS TO BE KEPT CLEAN

7.1 The owner or occupier of any premise shall cause same to be kept free of wastes. The Town or its designated officers may enter upon any such property for the purposes of removing any wastes allowed to continue thereon contrary to this By-Law, and the cost of such removal may be recovered from the property owner or added to the tax roll of the subject property and collected in the like and same manner as property taxes

8. UNAUTHORIZED HANDLING OF WASTE

8.1 No person other than the owner or agent thereof, unless lawfully authorized to do so, shall pick over, interfere with, disturb, remove or scatter any wastes

9. CONVEYANCE OF WASTES

9.1 No person shall convey or cause to be conveyed any wastes in a vehicle that is not properly constructed and covered so as to prevent the wastes from leaving the vehicle while in transport

9.2 No person shall allow any vehicle containing wastes of an offensive nature to stand in any location for more than fifteen minutes within the Town

10. ENVIRONMENTAL MANAGEMENT AND EDUCATION PROGRAMS

10.1 The Town may engage in activities to promote public knowledge and understanding of waste management and public participation in the prevention, reduction, reuse or recycling waste and the recovery of material substances or energy from waste

11. OFFENSES AND PENALTIES

11.1 If a person fails, omits or neglects to do any act or provide anything pursuant to this By-Law, the Town or any person on its behalf shall remedy the default and shall charge the cost of remedying the default:

- a) against the person required to do the act or provide the thing and recover it as debt due to the municipality, by the action in a court of competent jurisdiction
- b) as taxes against the land in respect of which the offence occurred and recover the cost in the same manner as taxes are recovered

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12. COLLECTION OF BULKY WASTES

12.1 Every person may dispose of bulky wastes, at their own expense, at the Steinbach Nuisance grounds.

12.2 The Town shall twice per annum, once in May of each year and once in September of each year, provide for the collection and disposal of bulky wastes.

13. OTHER WASTE

13.1 Every person shall dispose of construction and demolition waste, at their own expense at a Disposal site.

14. EFFECTIVE DATE

14.1 By-Law No.5-81 is hereby repealed

14.2 This by-law shall come into full force and effect on December 1, 2014.

DONE AND PASSED by the Council of the Town of Sainte-Anne, assembled in Chambers in Sainte-Anne, in the Province of Manitoba, this th day of , 2014.

Bernard Vermette
Mayor

Nicole Champagne
Chief Administrative Officer

Read a First Time this 9th day of September 2014
Read a Second Time this 23rd day of September 2014
Read a Third Time this 23rd day of September 2014