

TOWN OF KERROBERT

BYLAW NO. 1047-19

A BYLAW OF THE TOWN OF KERROBERT IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE MANAGEMENT OF SOLID WASTE, RECYCLABLES AND TO FIX RATES TO BE CHARGED FOR THE SERVICE OF COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, RECYCLABLES AND OTHER REFUSE IN THE TOWN.

That bylaw No. 1030-16 and all amendments be repealed and the following be enacted as follows:

The Council of the Town of Kerrobert in the Province of Saskatchewan enacts as follows:

SECTION 1:

Short Title:

1. This Bylaw may be cited as The Solid Waste and Recycling Management Bylaw.

Purpose:

2. The Council enacts by Bylaw to provide for the collection, removal or disposal of solid waste, recyclables and other refuse subject to The Environmental Management and Protection Act;

Section 3 of The Municipal Refuse Management Regulations made under the authority of

The Environmental Management and Protection Act requires every urban municipality to provide a scavenging system and a waste disposal ground; and

The Council of the Town of Kerrobert deems it necessary to establish certain standards, requirements and regulations concerning the collection and disposal of garbage, recyclables and other solid wastes.

SECTION II:

Definitions

3. In this Bylaw the following words and phrases have the respective meaning as given herein:

- (a) **“Administrator”** shall mean the Chief Administrative Officer of the Town of Kerrobert;
- (b) **“Attendant”** means the person(s) hired by the Town to carry out operations at the Transfer Station Site.
- (c) **“Bylaw Enforcement Officer”** means the Bylaw Enforcement Officer for the Town of Kerrobert.

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- (d) **“Collection”** shall mean the Town’s operation that provides for the removal of certain waste for the purpose of processing and disposal.
- (e) **“Collector”** shall mean a person or persons employed by the Town, or a person or persons who has (have) contracted with the Town for the purpose of removing waste and/or recyclables, as directed by the Administrator.
- (f) **“Commercial Householder”** shall mean any property that does not fall within the residential householder’s definition.
- (g) **“Compostables”** means garden refuse, grass clippings, unprepared vegetable household wastes, straw, leaves and any other organic materials other than grain and animal product.
- (h) **“Concrete”** shall mean any concrete or asphalt product that originates from any location.
- (i) **“Council”** shall mean the Council of the Town of Kerrobert;
- (j) **“Disposal”** shall mean the method the Town uses to permanently landfill the garbage that enters the municipal waste stream.
- (k) **“Diversion”** shall mean the manner in which waste is directed for processing and disposal based on its category.
- (l) **“Domestic Waste”** shall mean putrescible animal, mineral and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
- (m) **“Designated Officer”** shall mean an employee or agent of the Municipality appointed by Council to act as a municipal inspector for the purpose of this Bylaw;
- (n) **“Engineer”** shall mean an Engineer hired by the Town.
- (o) **“Garbage”** shall mean all material that the Town has deemed no longer has any value and is intended for permanent disposal in the garbage disposal area.
- (p) **“Garbage Disposal Area”** means the portion of land actively being used to dispose of garbage within the parcel of land known as the Western Regional Landfill (WRLI).

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- (q) **“Householder”** shall mean the owner, occupant, lessee, tenant, or the person otherwise in charge of any dwelling, hotel, restaurant, apartment block, office building, institution, commercial or industrial establishment, or other premise or property in Town.
- (r) **“Liquid Domestic Waste”** shall mean any waste which contains animal, mineral or vegetable matter in solution or suspension.
- (s) **“Municipality”** means the Town of Kerrobert;
- (t) **“Municipal Inspector”** means an employee or agent of the Town appointed by Council of the Town of Kerrobert to act as a municipal inspector for the purposes of this Bylaw;
- (u) **“Preparation”** shall mean the manner in which the Town manages all categories of waste for disposal or end use.
- (v) **“Processing”** shall mean the manner in which the Town manages all categories of waste for disposal or end use.
- (w) **“Refuse”** shall mean all waste including domestic waste, recycling, street cleanings and yard clippings but not liquid domestic waste.
- (x) **“Residential Householder”** shall mean any building that contains four (4) or less dwelling units and includes condominiums of any size.
- (y) **“Bulk Refuse”** shall mean wood, trees, shrubs, stumps, branches.
- (z) **“Scrap Metal”** means unusable motor vehicles, machinery or parts thereof and any other industrial or commercial metallic wastes.
- (aa) **“Senior Citizen”** means a resident who is at least 60 years old.
- (bb) **“Solid Waste Management System”** shall mean the Town’s operation that deals with all avenues of the waste from the source to the separation, division, collection, processing and disposal.
- (cc) **“Source”** shall mean the point where waste enters the municipal waste stream.
- (dd) **“Tires”** shall mean from automobiles, trucks, and machines, large and small.
- (ee) **“Town”** shall mean the Town of Kerrobert.

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- (ff) **“Town Office”** shall mean the Administrative office of the Town of Kerrobert.
- (gg) **“Transfer Station”** means the parcel of land the Town currently uses to process certain wastes located at NW ¼ -7-34-22-W3rd (Portion shown as Parcel A and B on Plan FK 4093). It will contain the active garbage disposal bins (transfer station) and designated areas for other waste that can be recycled, burnt on site or composted.
- (hh) **“Used oil”** shall mean all oil that has been drained from any automobile or truck, any engine or any machines.
- (ii) **“Waste”** shall mean all materials that no longer have value at the source and are being discarded into the municipal waste stream. Waste includes recyclables and garbage.
- (jj) **“Whites”** shall mean large metallic objects such as major appliances, water heaters, stoves, furnaces, washers, dryers, refrigerators, deep freezes, dishwashers, etc.
- (kk) **“Waste Disposal Site”** shall mean the Western Regional Landfill
- (ll) **“Waste Management Billing”** shall mean the process of collecting any fees set for refuse collection, removal or disposal services.

SECTION III – GENERAL PROHIBITION AND PROVISIONS

- 4. No person shall dispose of waste in the Town of Kerrobert except in the manner provided in this bylaw.
- 5. Except as otherwise authorized herein no person who is the owner or occupant of any land or building shall allow waste of any kind to accumulate on any land or building.
- 6. Except as follows, no person who has waste requiring disposal shall dispose of it other than as designated in this bylaw.
- 7. The Administrator shall publicize, in an appropriate manner, changes in regulations, rates or charges when the same is passed by Town Council. The Administrator shall post notice thereof in a conspicuous place at the Town office for at least three (3) days prior to the effective date of such change in the said regulations or rates. It shall be normal practice to advertise changes in regulations, rates, or charges or to communicate such changes directly to affected parties.

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8. The Town shall arrange for the systematic disposal of all wastes, except such wastes as may be excluded from the Town's License to Operate or as otherwise specified in this bylaw. In the event that a particular waste is not dealt with within this bylaw the Administrator shall have the final decision with respect to accordance, disposal location and associated cost. Waste not originating from within the Town limits may be charged for separately or refused.
9. No person other than designated collectors of the Town shall open any garbage receptacle or remove anything therefrom or in any manner disturb the contents thereof nor shall any person handle, interfere with or in any manner disturb any rubbish or refuse put out for collection and removal.
10. The decision of the Administrator with respect to the enforcement of this bylaw shall be final with respect to the quantities and classes of waste being dealt with.
11. Where any person is required by provisions of *The Environmental Management and Protection Act* to dispose of waste other than those wastes which are received at the Transfer Station, that person shall obtain appropriate permits and provide evidence of such permits to the Town if it affects the Town in any way.

SECTION IV – PRE-COLLECTION PRACTICES FOR PUBLIC COLLECTION

12. Householders shall be responsible for the separation and diversion of all waste generated at the source.
13. Garbage shall be thoroughly drained of all liquids and securely wrapped in plastic or plastic bags before it is placed in a waste receptacle.
14. Ashes shall not be mixed with other garbage or household waste but shall be totally extinguished and then transported to the Transfer Station by the householder, in suitable non-combustible containers.

SECTION V – WASTE COLLECTION

15. The collection, removal and disposal of waste in the Town of Kerrobert shall be regulated by Town Council and directed, supervised and enforced by the Administrator or Bylaw Enforcement Officer. All regulations passed by Council respecting the administration, enforcement and carrying out of the provisions of this bylaw shall form part of this

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bylaw and a violation of such regulations shall constitute a violation of this bylaw.

16. All waste shall be removed to areas as designated by this bylaw.
- (a) The Collector will remove garbage from carts and/or bins (supplied by the collector) and remove it to the Waste Disposal Site for residential and commercial customers who pay for this service on their utility bill.
 - (b) The Collector will remove recyclables from carts and/or bins (supplied by the collector) and remove it to a recycling centre for processing.
 - (c) The Town will remove compostable materials (grass clippings, garden refuse, branches, etc.) from back alleys twice annually (spring and fall).
 - (d) The Town shall not be expected to handle items such as tires, appliances, demolition waste or bulk items unless done so as paid custom work.

Council may, from time to time, offer special opportunities to address particular needs.

17. Garbage pickup will be provided a minimum of once weekly during the months of May through October. Garbage pickup will be provided a minimum of once every two weeks during the months of November through April.
18. Recycling pickup will be provided a minimum of once every two weeks throughout the year.
19. Refuse placed in a container where the lid will not completely close may not be picked up by the Collector. Material that will not fit into either curbside container may be taken to the transfer station for disposal.

SECTION IV – TRANSPORTATION

20. No person shall transport any waste of any kind along any highway, street, lane or other place in the Town of Kerrobert or enroute to the Town's Transfer Station or to the Waste Disposal Site unless in a fully-enclosed vehicle or the load is fully secured in a manner that ensures the waste will not leave the load.
21. No person shall transport any petroleum-contaminated soil or other waste dangerous good in the Town unless he/she is in full compliance with the requirements of *The Transportation of Dangerous Goods Act, 1992*, and *The Environment Management Protection Act and The Hazardous Substances and Waste Dangerous Goods Regulations*.

SECTION V – TRANSFER STATION

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22. Only those items identified in Schedule "B" shall be accepted at the Transfer Station.
23. Every person shall report to the Transfer Station Attendant upon entry and shall comply with all signage as well as any instructions and directions given by said Attendant.
24. Any load may be inspected by the Attendant to determine its suitability for transfer station disposal.
25. The hours of operation of the Transfer Station shall be determined by Council. No delivery shall be made except during such hours.
26. No person shall, without permission from the Attendant, remove any waste or material from the Transfer Station including the active disposal area.
27. A person delivering any waste to the Transfer Station for disposal shall pay to the Town a fee for disposal in accordance with the attached Schedule "A" being the Schedule of fees which may be revised by the Town Council by resolution from time to time. The fees must be paid at the Transfer Station by credit card, debit card or by Token unless other arrangements have been made with the Town. No cash will be accepted for payments at the transfer station.

SECTION VI – BILLINGS AND FEES

28. Fees for collection and disposal of waste and/or recycling will be charged to the customer on the Water and Sewer Utility Billing Notice and will reflect the actual collection and disposal fees charged to the Town by the Collector and are subject to annual review and revision by resolution of Council. Senior Citizens will receive a \$2.00 monthly discount on their residential waste charge only.

A fee of \$10.00 per month shall be charged to each residential property and each commercial property in the Town of Kerrobert, to be used to repay the Town's debt service cost associated with the capital construction cost of the Waste Disposal site (WRLI), and to pay the post closure costs of the Town's former landfill (located at the Transfer Station site), and shall be discontinued once the debt service charge for the new landfill have been retired and the Town has completed any post closure work required by the Ministry of the Environment at the old landfill, or on December 31, 2025, whichever occurs earlier.

A further fee of \$5.00 per month shall be charged to each residential property and each commercial property in the Town of Kerrobert to be used to defray capital and

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operating costs of the Transfer Station. This fee may be amended from time to time, but no more than once per year by resolution of Council.

These last two charges shall apply to any property in the Town of Kerrobert which is connected to the Town's utility services or which receives waste pickup services.

Late charges/penalties shall apply as per the Water and Sewer Rates Bylaw in effect at the time. The Town may, in accordance with **Section 369** of *The Municipalities Act*, add any unpaid charges to the taxes on the property on which the service was provided.

29. Fees for disposal of garbage, whites, clean lumber and scrap metal that are delivered directly to the Transfer Station shall be charged as per Schedule "A" attached hereto.
30. Refuse and recycling collection services herein mentioned shall commence upon the connection to water and sewer services.
31. Refuse collection, removal or disposal services will have deemed to be discontinued when water and sewer services are disconnected from premises of a customer.

SECTION VII - Offences

32. Offences

No person shall:

- (a) fail to comply with an order made pursuant to this Bylaw;
- (b) obstruct or hinder any Bylaw Enforcement Officer or any other person acting under the authority of this Bylaw; or
- (c) fail to comply with any other provision of this Bylaw.

33. If a person, being the owner, occupant, tenant or person in charge of any building or premises has been given an order to remedy any condition contrary to any part of this Bylaw and neglects or refuses to comply with such an order within the time specified, the same may be done by the Town at the expense of the person in default. All expenses incurred shall be in addition to and not a substitute for any fines or penalties to which the person may be subject pursuant to the provisions of this Bylaw. Where the charges or the expenses of the Town remain unpaid on the thirty-first day of December of the year in which the sums become payable, the sum, or part thereof, that remains unpaid shall be added to and form part of the taxes on the land in respect of which the collection, removal or disposal was done.
34. Wherever in this bylaw it is directed that an owner or occupant of any premises shall do any matter or thing, then in default of it being done, the owner or occupant of the premises or both of them shall be liable to prosecution.

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35. A person contravening any provisions of this bylaw and a person responsible for such contravention is guilty of an offence and is liable upon summary conviction before a Provincial Magistrate:
- (a) in the case of an individual, to a fine of not more than \$10,000;
 - (b) in the case of a corporation, to a fine of not more than \$25,000; and,
 - (c) in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 per day.
36. If an individual is convicted of an offence and if the individual fails to pay the fine with respect to the conviction within the prescribed time, the individual convicted may be imprisoned for a term of not more than one year, unless the fine is paid sooner.
37. Where a corporation fails to promptly pay any fine imposed on it pursuant to this bylaw, the prosecutor, may, by filing the conviction, enter as a judgment the amounts of the fine and costs, if any, in Her Majesty's Court of Queen's Bench for Saskatchewan, whether or not the trial was held in that court, and that judgment is enforceable against the corporation in the same manner as if it were a judgment rendered against the corporation in that court in civil proceedings.
38. A court imposing a penalty on any person, in addition to imposing the penalty, may order the person to observe, perform or carry out any matter or thing that may be necessary to remedy the contravention for which the penalty was imposed.
39. Coming into Force

That Bylaw No. 1030-16 is hereby repealed.

This Bylaw shall come into force and take effect on the date of third and final reading by the Council of the Town of Kerrobert.

This Bylaw shall come into force and be in effect on the final passing thereof.

Seal

MAYOR 

CHIEF ADMINISTRATIVE OFFICER 

Read a first time and adopted this
Read a second time and adopted this
Read a third time and adopted this

27th day of February, 2019
13th day of March, 2019
27th day of March, 2019

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SCHEDULE "A"**

CAPITAL CHARGES:

All non disconnected properties in Kerrobert shall be billed \$7.50 per month to repay the debt service costs associated with the construction of the Western Regional Landfill and to pay for post closure costs of the former Kerrobert Landfill.

TRANSFER STATION ACCESS CHARGES

All non disconnected properties in Kerrobert shall be billed \$7.50 per month to cover the base operating costs of the Kerrobert Transfer Station. This will entitle any Kerrobert resident or business to utilize the transfer station at the prices shown in the TRANSFER STATION CHARGES in the next Section.

TRANSFER STATION CHARGES:

1. Load charges are as follows and are applicable to all waste delivered on behalf of a person residing in Kerrobert or the Rural Municipality of Mariposa that is directed to be placed in a bin designated for transportation to the Waste Disposal Site (WRLI):

- Bagged Waste	\$ 2.00 per bag
- Car or SUV	\$ 15.00 per load
- ½ ton and ¾ ton truck – level load	\$ 25.00 per load
- Utility Trailer – 8’ and smaller – level load	\$ 25.00 per load
- Utility Trailer – over 8’ – level load	\$ 40.00 per load
- 1 ton truck – level load	\$ 40.00 per load
- ½ ton and ¾ ton truck – if overloaded	\$ 35.00 per load
- Utility Trailer – 8’ and smaller – if overloaded	\$ 35.00 per load
- Utility Trailer – over 8’ – if overloaded	\$ 60.00 per load
- 1 ton truck – if overloaded	\$ 60.00 per load

Other Materials

- White Goods – no freon	\$ 15.00 per piece
- White Goods – with freon	\$ 25.00 per piece
- Propane tanks – up to 20 lb.	\$ 10.00 per piece
- Scrap metal	\$ no charge
- Recyclables – place in blue containers	\$ no charge
- Clean fill, clean wood, unbagged compostables	\$ no charge
- Sofas, chairs mattresses – per	\$ 15.00 per piece

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Persons who are not residents of Kerrobert or the Rural Municipality of Mariposa shall pay a \$20 fee to enter and make use of the Transfer Station and shall pay the following fees:

- Bagged Waste	\$ 4.00 per bag
- Car or SUV	\$ 30.00 per load
- ½ ton and ¾ ton truck – level load	\$ 50.00 per load
- Utility Trailer – 8’ and smaller – level load	\$ 50.00 per load
- Utility Trailer – over 8’ – level load	\$ 80.00 per load
- 1 ton truck – level load	\$ 80.00 per load
- ½ ton and ¾ ton truck – if overloaded	\$ 70.00 per load
- Utility Trailer – 8’ and smaller – if overloaded	\$ 70.00 per load
- Utility Trailer – over 8’ – if overloaded	\$ 120.00 per load
- 1 ton truck – if overloaded	\$ 120.00 per load

Non-residents - Other Materials

- White Goods – no freon	\$ 30.00 per piece
- White Goods – with freon	\$ 50.00 per piece
- Propane tanks – up to 20 lb.	\$ 20.00 per piece
- Scrap metal	\$ no charge
- Recyclables – place in blue containers	\$ no charge
- Clean fill, clean wood, unbagged compostables	\$ no charge
- Sofas, chairs mattresses – per piece	\$ 30.00 per piece

Vehicles larger than 1 Ton carrying waste destined for the Waste Disposal Site (WRLI) are not permitted to use the transfer station but shall be redirected to the Waste Disposal Site (WRLI).

Clean asphalt may be deposited in the asphalt reclamation pile free of charge. Broken concrete may be deposited free of charge at the Waste Water Treatment Plant. Persons intending to deposit these materials shall do so during regular hours and must call in advance to arrange disposal.

Transfer Station Users must provide proof that Freon and/or compressors have been removed from the appliance by a licensed contractor or they will be charged the higher fee.

Payments may be made by debit or credit card at the Transfer Station or Disposal tags can be purchased at the Town Office or at the Reddi Mart. Disposal tags are sold in \$10 and \$25 denominations. No change will be given. No cash will be accepted at the Waste

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Disposal Site. Users of the transfer station must pay any applicable fee in advance or they will be refused access to the site.

Rural Municipality of Mariposa: A fee payable by the RM of Mariposa to permit Mariposa's ratepayers to access the transfer station at Kerrobert residents' rates is \$600 per month.

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SCHEDULE "B"**

KERROBERT WASTE DISPOSAL SITE

Accepted/Not Accepted Materials

WASTE MUST BE SORTED AND DESIGNATED AREAS OR BINS MUST BE UTILIZED

Acceptable Waste:

- Household
- Metal
- Appliances
- Clean Wood
- Asphalt
- Demolition Material- Sorted
- Trees & Branches
- Clean Grass Clippings (No Bags)
- Leaves (No Bags)

Non Acceptable Waste:

These items are accepted at:

- | | |
|--|--------------------------------|
| - Oil Contaminated Material | |
| - Bailer Twine | |
| - Barbwire | |
| - Concrete (except as stated in Schedule A hereof) | |
| - Vehicles | Scrap Metal Yards/ Salvage Co. |
| - Tires | Tire Shops |
| - Bulk Liquid Waste | |
| - Septic Waste | |
| - Radioactive Waste | |
| - Desktop Computers | Sarcen Recycle Centres |
| - Computer Components | Sarcen Recycle Centres |
| - Portable computers | Sarcen Recycle Centres |
| - Printers | Sarcen Recycle Centres |
| - Monitors | Sarcen Recycle Centres |
| - Televisions | Sarcen Recycle Centres |
| - Blood Borne Pathogen Waste | |
| - Asbestos – (Must be disposed of according to Saskatchewan Environment Regulations) | |

