

BYLAW 445-13

A BYLAW OF THE TOWN OF CARNDUFF IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE OPERATION OF THE WASTE DISPOSAL SITE AND SET FEES

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

1. A system for the collection, removal and disposal of garbage and other refuse accumulated within the Town of Carnduff limits as herein set forth, is hereby established and shall hereafter be operated as herein provided.
2. For the purpose of this bylaw, the following words shall have the meaning given herein:
 - “Garbage”** means putrescible animal and vegetable remains and by-products resulting from the handling, preparation, cooking and consumption of food but does not include swill of slops or other liquid or semi liquid waste material. Condemned food products or food producing wastes from canneries, slaughterhouses, meat packing plants, vegetable oil plants or similar industries are not included within the meaning of the word “garbage”.
 - “Refuse”** shall be understood to mean all waste material of any kind, except ashes and garbage, and shall include all of the following classifications of “refuse”:
 - i) **“Household refuse”** shall mean and include bedding, mattresses, carpets, rags, clothing, broken glass, tree branches, yard trimming and all similar substances that accumulate in or originate from a domestic household.
 - ii) **“building/demolition refuse”** shall mean and include waste materials from excavation, building construction, building repair or alteration, debris from any building removed, destroyed by fire or any other cause;
 - iii) **“commercial/industrial refuse”** shall mean waste generated by any process of industry, manufacturing, trade or business or the development of natural resource.
 - iv) **“Bulk refuse”** means wood, trees, shrubs, stumps, branches;
 - “litter”** shall mean miscellaneous waste items of all sorts including but not limited to matchsticks, empty packages, cigarette butts, loose paper, bags, boxes, shavings, and similar light material of any form that may be blown about or carried off by a gust of wind, gum and wrappers, paper cups, bottles, broken glass and any and all materials which when discarded, dropped, placed, blown or carried on to any sidewalk, street, boulevard, land, park, public place or private premises, contributes to untidiness and detracts from town cleanliness.
 - “Major Appliances”** means a large machine which accomplishes some routine housekeeping tasks, whether in a household, institutional, commercial, or industrial setting. Types of major appliances include, but are not limited to: deep freezers, refrigerator, range, stove, oven, cook top, microwave oven, washing machine, clothes dryer, drying cabinet, dishwasher, air conditioner, water heater, furnace, and trash compactor.
 - “Waste Disposal Site”** means the municipal waste disposal site located on **SE-35-33-2-W1**.
 - “Owner”** means the occupant, leasee or tenant or the person otherwise in charge of any dwelling, hotel or motel, restaurant, apartment block, office building, public institution or other premises;
 - “Tipping fees”** means the fee payable to the Town of Carnduff as set out in Schedule “A” for the removal of wastes to the waste disposal site.
3. The Waste Disposal Site will be open for public use as set by resolution of the Council of the Town of Carnduff.
4. The Town of Carnduff shall employ or enter into a contract with such numbers of persons, or companies as may be deemed necessary, owning or possessing equipments, in the Councils opinion’s reasonably adequate for the purposes

required for the collection, removal and disposal of garbage and refuse accumulated in the Town of Carnduff as herein provided for.

5. Regulations for depositing wastes at the Town of Carnduff Waste Disposal Site are as follows:
 - a) All tipping fees must be paid prior to entrance into the Waste Disposal Site. Tipping fees shall be paid at the Administration Office during regular working hours or to the Landfill Operator during operating hours. The fees are set out in Schedule "A", and hereby form a part of this bylaw.
 - b) All garbage must be deposited, where instructed to do so, by the Waste Disposal Site Operator.
 - c) Persons dumping compost material must remove all materials such as plastic bags, boxes or containers.
 - d) No paper, newspaper, tin or aluminum cans or other recyclable material will be accepted at the Waste Disposal Site as long as the Town of Carnduff maintains their recycling program.
 - e) No hazardous wastes will be allowed or accepted at the Waste Disposal Site.
 - f) No manure, grain, petroleum wastes, contaminated soils, asbestos material, pesticide containers, slaughter house wastes, dead animals or any other comparable wastes shall be allowed or accepted at the Waste Disposal Site.
 - g) Persons must obtain authorization from council before disposing more than 3 tonnes of concrete. If permitted, the rate will be set by council.
6. Commercial and Industrial Businesses will be responsible to make arrangements to handle their own disposal waste.
7. No person shall place, dump, or dispose of any waste near or over the gate at the Waste Disposal Site or on any public or private property.
8. No person shall remove, disturb, or take away any material, object or thing from the "Waste Disposal Site" without the express consent from the municipal representative of the Town of Carnduff. The municipality shall own and have sole right to dispose of all refuse collected and delivered to the "waste disposal site". From time to time the Council of the Town of Carnduff may appoint a person for the cleaning up and removal of certain wastes from the "waste disposal site".
9. Every vehicle used for the collection and transportation of garbage and refuse shall be suitably constructed and equipped with adequate covers to prevent loss of any part of the load en route to the disposal site.
10. Absolutely no burning is permitted at the "waste disposal site" unless carried out by the Town of Carnduff or its representative and such burning is carried out according to the regulations as set out by Saskatchewan Environment and Resource Management and as permitted by the Clean Air Act of Saskatchewan.
11. No person shall deface, destroy, or alter any signs, gates or fencing at the "waste disposal site".
12. Violations
 - a) Where the administration office or any authorized Town of Carnduff representative believes that a person has contravened any provision of this Bylaw, he/she may serve upon such person a Bylaw Violation Notice as provided by this section either personally or by mailing or leaving same at his last known address and such service shall be adequate for the purpose of this Bylaw.
 - b) Such notice shall be deemed to have been served:
 - 1) On the expiration of twenty-four hours after it is posted, if the noticed is mailed;
 - 2) On the day of actual delivery, if the notice is served personally; or
 - 3) On the business day following the transmission, if given by facsimile.
 - c) A Bylaw Violation Notice shall be in such form as determined in Schedule "B" and shall state the section of the Bylaw, which was contravened, and

the amount, which is provided in Schedule "C" that will be accepted by the Municipality in lieu of prosecution.

- d) Upon production of a Bylaw Violation Notice issued pursuant to this section within thirty (30) days from the issue thereof, together with the payment of the fee as provided in Schedule "C" to the Administration Office of the Municipality, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was issued.
- e) Where any person contravenes the same provision of this Bylaw two or more times within one twelve month period, specified payment payable in respect of the second or subsequent contravention is double the amount shown in Schedule "C" of this Bylaw in respect of that provision.
- f) Notwithstanding the provisions of this section, a person to whom a Bylaw Violation Notice has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.

13. Bylaw 341/99 is hereby repealed.

14. This bylaw shall come into effect upon final passing thereof.

Mayor

(SEAL)

Administrator

Town of Carnduff
Bylaw No. 445-13

Schedule "A"
Tipping Fees

Standard Garbage Bag	\$ 4.00
Car Trunk	\$ 10.00
Pick up Truck	\$ 50.00
1 ton truck	\$100.00
3 ton truck	\$300.00
Tandem Truck	\$500.00
Major Appliance	\$ 25.00
Concrete (limit of a 3 ton truck)	As set out above
Miscellaneous not covered by these rates	set by Town Council

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Schedule "B"
BYLAW VIOLATION NOTICE

TOWN OF CARNDUFF
BYLAW VIOLATION NOTICE

Reference Number _____

Name	
Address	

This official notice is issued for alleged breach of the following bylaw:

Bylaw No. _____	
Section #:	
Offence:	
Voluntary Payment:	

DETAILS OF ALLEGED BREACH OF VIOLATION:

Date of Violation:	
Time of Violation:	
Location of Violation:	
Other Particulars:	

PENALTY:

Take notice that you may remit a voluntary payment to the Town of Carnduff in the amount stipulated above to avoid prosecution for this offence.

Payment may be made in person at the municipal office or by mail to: Town of Carnduff, Box 100, Carnduff, SK, S0C 0S0.

If the voluntary payment indicated above is not received by _____, a summons requiring your appearance in provincial court will be issued.

Issued this _____ by _____.

Signature of Designated Official

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Schedule C
Voluntary Payment Schedule

Offence	Voluntary Payment
Unauthorized Entry (Section 3)	\$500.00
Failure To Pay Tipping Fees (Sub-Section 5a)	Double the cost of applicable fees as set out in Schedule "A"
Failure To Deposit Refuse In Proper Location (Sub-Section 5b)	\$100.00
Failure To Remove Compost Material From Container (Sub-Section 5c)	\$100.00
Depositing Unauthorized Products (Sub-Sections 5d-f)	\$100.00 plus any costs associated with removal of products.
Depositing Refuse Over Gate (Section 7)	\$100.00
Unauthorized Removal (Section 8)	\$100.00
Unauthorized Burning (Section 10)	\$1,000.00 plus replacement costs and all expenses incurred by the fire department
Destroy Fencing, signs etc (Section 11)	\$500 plus cost of replacement