

VILLAGE OF MUENSTER

BYLAW NO. 5/2004

A BYLAW OF THE VILLAGE OF MUENSTER IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE A WASTE MANAGEMENT PROGRAM FOR THE RESIDENTS OF MUENSTER FOR THE HANDLING OF WASTE MATERIAL.

The Council of the Village of Muenster in the Province of Saskatchewan enacts as follows:

SHORT TITLE:

1. This Bylaw shall be cited as “The Waste Management Bylaw”.

DEFINITIONS:

“Bag and Tag Program” means the waste material collection system established pursuant to this bylaw where residents and businesses are required to prepay for tags and fasten the tags to their waste receptacles, bags of garbage or waste items in order to have waste material removed by the municipality or designate.

- (b) “Compost Material” means garden waste, grass clippings, leaves, twigs, fruit, vegetables and other vegetative matter but does not include branches, trees or household waste.
- (c) “Council” means the Council of the Village of Muenster.
- (d) “Designated REACT Tag” means a tag issued by REACT for the purpose of implementing the Bag and Tag Program.
- (e) “Hazardous Waste” means oils, fuels, lubricants, antifreeze, oil base paints, solvent cleaners, herbicides, pesticides, insecticides or noxious chemicals, containers for herbicides, pesticides, insecticides or noxious chemicals and any other material or element that is considered harmful to the environment. Soil or materials contaminated with any of the above is also considered hazardous waste.
- (f) “Household Waste” includes food scraps, packaging and general household waste that can not be recycled and is not considered hazardous to the environment.
- (g) “Municipality” means the Village of Muenster.
“REACT” - Regional Authority which handles and disposes of waste material.
- (h) “Recyclables” means any items or material that can be diverted from the waste stream and sorted for reuse or reprocessing as designated in Schedule “A”.
- (i) “Recycling Depot” means an area designated where bins are provided for the deposit of recyclables and marked with the REACT Recycling Logo.
- (j) “Recycling Program” means opportunities provided locally by the municipality or approved by the municipality that diverts recyclables from the waste stream.

- (k) “Refuse” means carcasses of animals and all filth, manure, offal and related Items.
- (l) “Regional Waste Management Area” hereinafter referred to as “RWMA” means the NE ¼ Section 1, Township 37, Range 23, West of the 2nd Meridian and the North ½ of the SW Section 35, Township 41, Range 26, West of the 2nd Meridian and any REACT transfer site designated for the handling and disposal of waste material.
- (m) “Rubble” means broken cement, pavement, rock, bricks or similar items.
- (n) “Virgin Wood” means branches, trees, lumber scraps or any other wood product that is still in an untreated or unprocessed form or is considered to be in its basic natural wood form.
- (o) “Waste materials” means all those materials not included within the definition of recyclable and compost material.
- (p) “White Metals” means appliances, water heaters and softeners, furnaces and similar household equipment.

PREPARATION OF WASTE MATERIAL FOR COLLECTION

3. Residents are encouraged to remove all recyclables covered by the municipality’s recycling program from their waste stream and deposit them at the municipality’s recycling depot.
4. Waste materials being accumulated and stored for the purpose of being collected and taken to the RWMA by the municipality or designated shall be:
 - (a) clearly divided between household waste and compost material as to accommodate separate collection of each and only these two classes of waste material shall be collected for removal by the municipality.
 - (b) In the case of household waste, kept in plastic or metal waste receptacles or tied plastic bags not exceeding 17 gallons by volume
 - (c) in the case of compost material, segregated from all the waste material and kept loose or in a clear plastic bag not exceeding 17 gallons by volume.
 - (d) drained of liquid before placed in receptacle.
5.
 - (a) Subject to subsection (b), all receptacles, plastic bags or items of waste to be removed by the municipality shall have a designated REACT tag affixed to them in a clearly recognizable manner. The REACT tags shall be purchased in advance from designated retail outlets at a cost as set out by resolution of REACT.
 - (b) Compost material separated from all other waste material and separately placed in its own receptacle shall not require a designated municipal tag for removal by the municipality.
 - (c) REACT shall sell designated REACT tags to various outlets to resell to the general public. The retail outlets shall pay REACT for the designated tags when provided at a cost determined by resolution of REACT.
6. Containers for reception of waste material shall be:
 - (a) except during periods of front street collection waste containers must be securely placed on a stand or hanger in a manner that will preclude it from being ravaged by animals.
 - (b) kept in a convenient place for removal by an authorized person.
 - (c) Maintained in a serviceable and sanitary condition.

- (d) Placed on the front street on the day of pick-up during periods of front street collection.
7. Council may order a person to obtain or provide a proper waste receptacle or stand and if that person fails to comply with the order within the specified time set out in the order, Council may provide such receptacle or stand at the expense of that person.

BURNING OF WASTE MATERIAL

8. Subject to Section 9, the burning of any waste material is strictly prohibited within the municipality.
9. No person shall start the burning of straw, weeds, leaves, grass, wood or other flammable material or fire a stubble field unless a permit has been obtained from the Fire Chief or person appointed by Council. No such permit shall be issued unless the applicant can prove its necessity and undertake to see that the fire is kept under control at all times by methods approved by the person issuing the permit.

REMOVAL OF WASTE MATERIAL:

10. Waste material may be removed to the RWMA by:
- (a) an employee of the municipality
 - (b) an employee of REACT
 - (c) a person who has contracted with the municipality for the purpose of waste removal; or
 - (d) a person having received permission from the municipality
11. The owner /occupant or their designate may remove waste material to the RWMA during normal hours of operation providing they adhere to the fees and regulations governing the RWMA.
12. The municipality may remove free of charge garden waste providing it is conveniently stockpiled in an accessible area in the back alley.
13. Council may designate by resolution the days when various types of different classes of waste material shall be collected.
14. The municipality reserves the right to refuse to collect for removal any of the following waste:
- (a) any receptacle, plastic bag or waste item that does not have a designated municipal tag affixed to it as required under Section 5(a)
 - (b) any receptacle that does not have compost material separated from household waste
 - (c) any receptacle or waste item that is considered oversized or overweight
 - (d) branches and trees
 - (e) hazardous waste
 - (f) any waste material or item not accepted at the RWMA
 - (g) any other waste material or item that could be considered unsuitable for collection.

15. The municipality reserves the right to return to the original owner any waste that is later determined to be hazardous or inappropriate for handling by the municipality or to recover costs from the owner for its proper disposal.
16. It is the responsibility of the owner or occupant to ensure that any land or building is kept tidy including the accumulation of waste material. Where it is determined by the municipality that an owner or occupant is not adequately providing for the removal of waste material and the land has subsequently become untidy or unsightly, the municipality shall proceed under Section 130 of The Urban Municipality act, 1984 to remedy the untidiness or unsightliness and the cost of such work shall be added to and become part of the taxes on the land which the work was done.
17. The following practices are strictly prohibited:
 - (a) The dumping of waste material by an individual or corporation on any property within the municipality, whether public or private.
 - (b) The dumping of waste material by an individual or corporation in the vicinity of the recycling depot or the dumping in the recycling bins of waste material that is not designated for recycling in the municipality's recycling program.

VIOLATIONS AND PENALTIES:

18. Any person who contravenes any of the provisions of this bylaw is guilty of an offense and liable for the penalties provided by the General Penalty Bylaw unless specific penalties are provided for in this Bylaw.
19. a) Anyone found tampering with a designated REACT tag affixed to another person's waste receptacle or garbage bag or attempts in any manner to counterfeit or use counterfeit municipal tags is guilty of an offense and liable to a fine of \$100.00.
 - b) Notwithstanding the provisions of Section 19(a) above, if the said fine is paid within 72 hours from the date of the ticket being issued, the penalty shall be \$50.00 rather than the fine as indicated above.
20. A person who contravenes any provisions of Sections 8 or 9 as it pertains to any waste material other than hazardous waste is guilty of an offense and upon summary conviction shall be liable to a penalty.
21. a) A person who contravenes any provision of Section 17 is guilty of an offense and shall be liable to a fine of \$100.00.
 - b) Notwithstanding the provisions of Section 21 (a) above, if the said fine is paid within 72 hours from the date of the ticket being issued, the penalty shall be \$50.00 rather than the fine as indicated above.
22. In addition to any penalty levied under this bylaw or the General Penalty Bylaw, the offender shall also be responsible for all costs incurred to rectify any damage or untidiness created by their offense.
23. a) Where any person has committed or is alleged to have committed a breach of any of the Sections of this Bylaw, a ticket in a form to be approved by Council may be served on such person. Such person may pay to the Town or Rural Administrator in the Town/Rural Office. Upon receipt of appropriate payment of the penalty as provided in this Bylaw prior to any legal action commencing, there will be no prosecution respecting the alleged violation.
 - b) Service of such ticket may be made by attaching same to the door of the residence in respect of which an offence has been committed or by mailing such ticket addressed to the assessed owner of the land concerned, or by personal service on the person who has committed the offence.

ALL TO COMPLY

A person who contravenes any of the provisions of this Bylaw or fails to comply therewith or with any notice given thereunder shall commit an offence and be liable to the penalty as herein provided.

EFFECTIVE DATE:

26. This Bylaw shall come into force and have effect from the date of final reading.

INTRODUCED AND READ A FIRST TIME THIS 10th day of November, 2004.

READ A SECOND TIME THIS 10th day of November, 2004.

READ A THIRD AND FINAL TIME THIS 10th day of November, 2004.

Mayor

Administrator

SCHEDULE "A"

Persuant to Section 2 (h) of Bylaw No.

Recyclable Material:

- 1) Newsprint
 - newspaper/flyers
- 2) Glossy Paper
 - glossy or shiny paper
 - magazines, catalogues and some brochures
- 3) High-grade Paper
 - white bond paper, loose-leaf, photocopy, typing, writing or laser printer paper
 - plain white envelopes including window envelopes
 - coloured bond paper, file folders, carbonless forms, fax paper, post-it notes, telephone message pads, etc.
 - coloured or brown envelopes
- 4) Box Board/Cardboard Boxes
 - any type of box board, example: cereal boxes, cracker boxes, cookie boxes, detergent boxes, milk cartons
 - sugar and flour bags, brown paper bags
 - any corrugated or cardboard boxes
- 5) Glass Containers
 - all glass containers regardless of colour
- 6) Tin Cans
 - all tin cans or metal lids from other containers