



**BYLAW #871
GARBAGE**

A BYLAW OF THE MUNICIPALITY OF THE TOWN OF STAVELY IN THE PROVINCE OF ALBERTA TO PROVIDE SAFE HANDLING AND UNDERSTANDING OF THE GARBAGE PROGRAM

WHEREAS the Municipal Government Act, being the Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto, authorizes a Council to pass, amend or repeal bylaws established to the collection of solid waste;

WHEREAS, Council deems it proper and expedient to establish an updated system for the collection, removal and disposal of solid waste and garbage.

NOW THEREFORE, The Council of the Municipality of the Town of Stavelly in the Province of Alberta duly assembled enacts as follows:

1	TITLE
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1.1. The Bylaw will be cited as the Garbage Bylaw No. 871

2	DEFINITIONS
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2.1 In this Bylaw, unless the context otherwise requires:

- a. **"Alley"** means the narrow passageway behind or between buildings.
- b. **"Ashes"** means cold residue from the burning of wood, coal and other like material for the purpose of cooking, heating buildings and disposition of waste combustible materials.
- c. **"Automated Collection"** means the collection of waste by a system of mechanical lifting and tipping of receptacles into specifically designed vehicles.
- d. **"Bagged Waste"** means any discarded household or commercial debris or refuse, which could include Biomedical Waste, Garbage, Hazardous Waste, Wet Garbage, or Yard Waste which is placed inside a durable and sealed garbage bag.
- e. **"Biomedical Waste"** means medical waste that requires proper handling and disposal because of environmental, aesthetic, and health and safety concerns as well as risks to human health and includes:
 - 1. Human anatomical waste;
 - 2. Infectious human waste;
 - 3. Infectious animal waste;
 - 4. Blood and body fluid waste; and
 - 5. Medical sharps, such as needles, syringes, blades or other clinical laboratory material capable of causing punctures or cuts.
- f. **"Boulevard"** means:
 - 1. The strip of land between the curb and the sidewalk and between the sidewalk and the property line;
 - 2. Where there is no sidewalk, the strip of land between the curb and the property line;
 - 3. Where there is no curb, the strip of land between the near edge of the road and the property line.
- g. **"Building Waste"** means all waste produced in the process of constructing, demolishing, altering, or repairing a building and shall include, but not be limited to, soil, vegetation and rock displaced during the process of building.



**BYLAW #871
GARBAGE**

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- h. **“Bylaw Enforcement Officer”** means an appointed bylaw officer or Community Bylaw Enforcement Officer, Peace Officer and Public Works Foreman or the Royal Canadian Mounted Police – Claresholm/Nanton Detachment.
- i. **“CAO”** means the Chief Administrative Officer of the Town of Stavely.
- j. **“Collection Day”** means the day which is scheduled by the Public Works Foreman for municipal collection of solid waste.
- k. **“Collector”** means a person or persons who collect waste within the Town for and on behalf of the Town.
- l. **“Curb”** means the actual curb, if there be one, and if there is no curb in existence, shall mean the division of roadway between that part intended for the use of vehicles and that part intended for use by pedestrians.
- m. **“Customer”** means any person, corporation or organization that has entered a contract with the Town for utility provision at a particular premise, or who is the owner or occupant of any premises connected to or provided with a utility.
- n. **“Garbage”** means waste by-products produced from household and commercial process and can be composed of organic and inorganic material.
- o. **“Hazardous Waste”** means any substance or thing that falls within the definition of Hazardous Waste in Schedule 1 of Alberta Regulation July 6, 1999, 192/96, the Waste Control Regulation.
- p. **“Occupant”** means a person or corporation in actual possession of any premises either as an owner or tenant. For billing purposes further defined as a person contracting with the Town for the domestic supply of utilities to any premises.
- q. **“Premises”** means any land, building, supplied with utilities by the Town.
- r. **“Public Works Foreman”** is the person with the authority to supervise and have charge of the Waste Collection system and services.
- s. **“Rural”** means the residents who live within the district of the MD of Willow Creek.
- t. **“Sidewalk”** means that part of a roadway primarily intended for the use of pedestrians and includes the part lying between the curb line or edge or the roadway and the adjacent property line, whether or not paved or improved.
- u. **“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, it means the public thoroughfare on which the premises in question front.
- v. **“Town”** means the corporation of the Town of Stavely, or the area contained within the boundaries thereof, as the context requires.
- w. **“Town Office”** means the building in which the administrative staff work located at 5001 50th Ave, Stavely AB, T0L1Z0.
- x. **“Town Shop”** means the building in which the public works employees work located at 5710 52nd Street, Stavely AB, T0L1Z0.
- y. **“Transient Waste”** means any waste material produced at a location other than at the building in front of which it is placed for pick up.
- z. **“Violation Tag”** is a tag which states the section of the bylaw which was contravened and the amount which is provided, that will be accepted by the Town in lieu of prosecution.
- aa. **“Waste”** means any discarded household or commercial debris or refuse, which could include Biomedical Waste, Garbage, Hazardous Waste, Wet Garbage or Yard Waste.
- bb. **“Waste Receptacle”** means any bin to store waste bag for manual collection or automated collection.



**BYLAW #871
GARBAGE**

- cc. **“Wet Garbage”** means the kitchen waste containing liquids originating from hotels, boarding houses and restaurants but excludes drained household kitchen waste which has been properly packaged.
- dd. **“Yard Waste”** means grass clippings, leaves, brush, twigs, house and garden plants, sawdust and wood shavings or other similar items as designated by the Public Works Foreman.

3 Authority of the Town

- 3.1 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 and provide an additional single day for rural residents. The Town will supervise the facilities and equipment necessary or desirable for the management of waste collected or disposed by the Town.

4 Authority of the Public Works Foreman

- 4.1 The Public Works Foreman shall:
- 4.1.1 supervise the collection, removal and disposal of waste;
 - 4.1.2 set the day(s) and times that collection shall be undertaken from different portions of the Town; and
 - 4.1.3 outline the quantities and classes of waste to be removed from any premises or accepted by the Town for disposal;
 - 4.1.3.1 maximum of 4 bags not exceeding 50lbs each.
- 4.2 Decide which method will be used to collect waste:
- 4.2.1 manual collection;
 - 4.2.2 automated collection;
- 4.3 State the location from which waste will be collected;
- 4.3.1 front street collection; or
 - 4.3.2 rear alley collection;
- 4.4 May specify availability of waste collection for pick-up;
- 4.4.1 carry out any inspections required to determine compliance with this bylaw;
 - 4.4.2 take any steps or carry out any actions required to enforce this bylaw;
 - 4.4.3 take any steps to carry out any actions required to remedy a contravention of this bylaw.

5 Preparation of Waste Materials for Collection

- 5.1 No person shall set out Waste materials for collection without ensuring that the Waste materials have been prepared for collection in accordance with the following:
- 5.1.1 any Waste material that is to be collected must be:
 - 5.1.1.1 acceptable by the Town as per Section 6-9;
 - 5.1.1.2 contained within the Waste Receptacle which is to be maintained in good condition and be capable of accumulating a minimum of one (1) weeks' worth of garbage;
 - 5.1.1.3 all garbage must be bagged;
 - 5.1.1.4 Bagged Waste or Waste Receptacles with Bagged Waste within must be placed at the curb no earlier than 5am the day of collection.



**BYLAW #871
GARBAGE**

- 5.2 No person shall place Waste materials for pickup without the permission of the owner or occupant of the premise.
- 5.3 The Public Works Foreman or their designate reserves have the right to withhold collection of Waste materials where the Waste materials do not meet the necessary requirements.

6 Location of Waste Receptacle

- 6.1 No person who receives Waste collection shall set out Waste materials at locations that are: unsafe, obstructed, blocked by snow or ice, poorly maintained and uneven, or that prevent Collectors from collecting in a safe and efficient manner in the opinion of the Public Works Foreman or their designate.
- 6.2 The occupant of residential, commercial, or industrial premises shall place Waste Receptacle with Bagged Waste within or Bagged Waste for collection in such a way that collectors shall have access without entering private property.
- 6.3 Except where in the opinion of the Public Works Foreman, it is impractical to store Waste materials outside of a building, no collector shall make a collection of Waste materials from inside any building.
- 6.4 The Town shall collect Waste materials from only one pick-up point from each premise, except where the Public Works Foreman has designated any other pick-up point they consider necessary.

7 Garbage and Waste

- 7.1 An occupant of premises from which Waste is to be collected shall:
- 7.1.1 thoroughly drain all Wet Garbage and place it in a plastic garbage bag before disposing of it in the Waste Receptacle or to the curb;
 - 7.1.2 bag all light, dusty or objectionable materials including cooled ashes, powders, sawdust, vacuum cleaner bags, furnace filters, animal feces and absorbents, and disposable diapers;
 - 7.1.3 ensure any spillage from Waste Receptacles or Bagged Waste is picked up and/or cleaned up within twenty-four (24) hours after scheduled pick-up;
 - 7.1.4 weigh no more than 50lbs per bag;
 - 7.1.5 bag all garbage;
 - 7.1.6 clippings from lawn must be placed in plastic bags and placed inside or beside the Waste Receptacles for the Town to collect or be brought to the compost pile located at the Lagoon;
 - 7.1.7 clippings from shrubs and trees must be tied and be compactly secured in bundles not to exceed 4"x4"x4", or in weight not exceeding 50lbs and placed beside the Waste Receptables for removal;
 - 7.1.8 boxes must be flattened and if there are two (2) or more, tied and placed beside the Waste Receptacles for removal.
- 7.2 The Town shall not remove the following from premises:
- 7.2.1 large bulky items such as mattresses, box springs, dressers, tables, chairs, fences, gates, semi-permanent fixtures or discarded heavy machinery;
 - 7.2.2 sheet iron, large pieces of scrap metal or machine parts;
 - 7.2.3 electronic equipment including televisions, computers, computer monitors, keyboards, and associated cables;
 - 7.2.3.1 electronic waste can be arranged for pick-up by contacting the Town Foreman;
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**BYLAW #871
GARBAGE**

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- 7.2.3.2 electronic waste can always be discarded of in the Electronic Shed which is located behind the Town Office near the Post Office.
 - 7.2.4 Building Waste such as renovation, construction or demolition material;
 - 7.2.5 stumps, concrete blocks or slabs, soil, rocks or aggregate;
 - 7.2.6 transient waste;
 - 7.2.7 waste material which has not been placed for collection in accordance with the provision of this bylaw;
 - 7.2.8 liquid waste or material that has attained a fluid consistency and has not been drained;
 - 7.2.9 any material outside the waste receptacle that is caused by foraging animals or improper storage in accordance with the provision of this bylaw.

8 Prohibited Items

- 8.1 No person shall place or dispose of in a Waste Receptacle or in Bagged Waste form for collection or disposal any of the following prohibited items:
 - 8.1.1 highly combustible or explosive materials including but not limited to liquid or solid fuels, gunpowder, ammunition, or explosives;
 - 8.1.2 hot ashes which are not properly quenched and appear to be hot or likely to cause a fire;
 - 8.1.3 compressed propane or butane cylinders;
 - 8.1.4 toxic or household hazardous waste including solvents, oven cleaners, paints, automotive fluids, wet cell batteries, pesticides, herbicides, or any material commonly referred to as household, commercial, or industrial hazardous waste;
 - 8.1.5 biomedical waste including hypodermic needles or syringes, lancets or any sharp item used in home medical care;
 - 8.1.6 dead animals and animal parts from hunting or trapping;
 - 8.1.7 septic tank pumping, raw sewage, or industrial sludge;
 - 8.1.8 radioactive waste;
- 8.2 The person responsible for such items listed in this section must dispose of the prohibited items in a legal manner which causes no harm to any other person or thing.

9 Wet Garbage

- 9.1 No person shall remove wet garbage from any hotel, restaurant, or retail within the Town for use as food for swine or other livestock except under the authority of permits issued by the Environmental Health Inspector.

10 Building Materials and Construction Waste

- 10.1 A person carrying out the construction, demolition or alteration of buildings or other building operations on any property shall do so in such a manner as to not permit building material or Building Waste material to remain loose, free or uncontrolled on the property.
- 10.2 The main contractor on the building site shall be responsible for the actions of any subcontractor or tradesman who fail to comply with subsection 10.1.
- 10.3 Any building material or Building Waste material which blows free from the building site shall be recaptured, returned to the building site, and deposited in a waste receptacle.



**BYLAW #871
GARBAGE**

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- 10.4 The main contractor on a building site shall be responsible for the term of the construction in providing a suitable waste receptacle capable of receiving all Building Waste material and maintaining the same in a safe contained manner.
- 10.5 Where the contractor is working on more than one building site and they are adjoining, he may provide one (1) Building Waste receptacle for each three (3) building sites.
- 10.6 The main contractor on a building site shall be responsible for having all unused building material and Building Waste material disposed of in the landfill or appropriate area.
- 10.7 The Public Works Foreman may direct the person carrying out the construction or alteration of a building to provide a fence of a type that will trap any building material in such a manner as to prevent it from escaping from the building site.

11 Collection Schedules

- 11.1 The Town shall collect Waste from each residential premise once a week.
- 11.2 Any Waste that is stored in a Waste Receptacle may be collected by the Town at the Public Works Foreman's discretion.
- 11.3 The Public Works Foreman may stipulate a different Waste collection schedule for the following establishments:
- 11.3.1 hotels, restaurants and apartment houses;
 - 11.3.2 business and professional offices;
 - 11.3.3 retail and wholesale merchants;
 - 11.3.4 other commercial premises, whether similar or dissimilar;
 - 11.3.5 industrial premises; and
 - 11.3.6 agricultural and irrigated areas.
- 11.4 Where the Town does not collect Waste at a premise listed in section 10, the property owner or occupant, either by contractors, agents or by employees, shall remove and dispose of the waste in compliance with all applicable federal, provincial, and municipal laws and shall provide the Town with a copy of the contract between the owner and the service provider.
- 11.4.1 Waste must be placed at collection points no later than 7:00am on the scheduled collection day.

12 Rural Drop-Off

- 12.1 Rural residents will be provided with a drop off day for Waste collection weekly set out by the Public Works Foreman;
- 12.1.1 a garbage truck will be available at the Town Shop for Bagged Waste to be dropped off in;
 - 12.1.2 collection times will be between 7am until 5pm;
 - 12.1.3 rural collection must comply with section 8 indicating prohibited items along with all other provisions of this bylaw.

13 Transportation of Waste

- 13.1 No person shall convey through any street within the Town any Waste except in a properly enclosed receptacle or in a vehicle which is covered with canvas or tarpaulin, or secured such that the contents are protected from being wind borne or falling on the streets.

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**BYLAW #871
GARBAGE**

14 Damage to Private Roads and Infrastructure

- 14.1 The Town will not be responsible for any damage to roads or infrastructure on a private site resulting from legitimate operation of Waste collection vehicles during Waste collection activity at that private site.

15 Other Provisions

- 15.1 It shall be unlawful for any person to dump Building Waste or other Waste material anywhere within the limits of the Town of Stavely, except in the location designated by the Public Works Foreman and approved in writing by the Public Works Foreman.
- 15.2 No person, other than the occupant of the premise or the Collector, shall pick over, remove, disturb, or otherwise interfere with any waste material that has been set out for collection.
- 15.3 No person shall place residential or commercial Waste in a public litter container.
- 15.4 No person shall burn household refuse, burnable debris, or prohibited debris in any fireplace or fire pit within the Town.
- 15.5 The Town reserves the right to withhold collection of improperly prepared Waste, Waste that is not bagged, prohibited Waste, excessive quantities of Waste, or Waste located at unsafe or non-compliant set-out locations.
- 15.6 The occupant shall keep the curb and gutter at the front of the premises in a clean and tidy condition.

16 Spring and Fall Clean-Up

- 16.1 The Town of Stavely will offer a service to the Town Residents twice a year in the month of April and October to remove specified items not accepted in Waste collection stated in section 7.2. The specified items must be 50lbs or lighter including;
- 16.1.1 couches, love seats, mattresses, box springs, chairs, tables, and armchairs;
- 16.1.2 dryers, washers, stoves, water tanks, refrigerators, freezers, and a/c units;
- 16.1.3 wood items including fences and decks;
- 16.1.4 metal and construction waste which is;
- 16.1.4.1 no heavier than 50lbs, no longer than 6ft.
- 16.1.5 electronic waste, including televisions, computers, computer monitors, keyboards, and associated cables.
- 16.2 Unacceptable items include;
- 16.2.1 toxic waste, highly combustible items or explosive materials, biomedical waste, raw sewage or septic pumping and radioactive waste;
- 16.2.2 all items listed in section 8 of the bylaw.
- 16.3 Charges for Spring and Fall Clean-up are stipulated in Schedule "A" and the CAO will charge the residents accordingly per item(s) collected.
- 16.3.1 the Town Foreman may apply a discretionary charge to labour intensive clean-ups along with bulk items.
- 16.4 Collection dates may change as per the Public Work Foreman. Changes will be posted on the Town of Stavely website, newsletter and/or Facebook page.
- 16.5 Items set out for pick-up must be placed in neat piles at the curb and allow collectors to have access without entering private property.

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**BYLAW #871
GARBAGE**

- 16.6 The Public Works Foreman or their designate reserves have the right to withhold collection of Waste items placed out for Spring and Fall Clean-Up where the Waste items do not meet the necessary requirements in section 16.1 and 16.2.

17 Charges for Collection and Depositing Waste

- 17.1 Charges for Waste removal by the Town are stipulated in Schedule "A";
- 17.1.1 each resident will be charged for Waste removal even if collection services are unutilized.
- 17.2 The fee for additional Waste collection shall be set out per Schedule "A".

18 Contravention

- 18.1 Any person who contravenes a provision of this bylaw is guilty of an offense and is liable of a fine not exceeding one thousand dollars (\$1,000.00) and not less than seventy-five dollars (\$75.00).

19 Violation Tickets and Penalties

- 19.1 Where a Bylaw Enforcement Officer and/or the Public Works Foreman believes on reasonable and probable grounds that a person has contravened any provision of this bylaw, he may serve upon such person a Violation Tag provided by this section:
- 19.1.1 either personally on the premises or by leaving it for the occupant at their residence with a person on the premises who appears to be at least eighteen (18) years of age or by registered mail, and such service shall be adequate for the purpose of this bylaw;
- 19.1.2 a Violation Tag shall be in such form as determined by the Town of Staveland and shall state the section of the bylaw which was contravened and the amount which is provided, that will be accepted by the Town in lieu of prosecution;
- 19.1.3 upon production of Violation Tag issued pursuant to this section within fourteen (14) days from the issue thereof together with the payment to the Town of Staveland for the fee as provided, the person to whom the tag was issued shall not be liable for prosecution for the contravention in respect of which the tag was issued;
- 19.1.4 notwithstanding the provision of this section, a person to whom a tag has been issued pursuant to this section may exercise his right to defend any charge committing a contravention of the provisions of this bylaw.
- 19.2 The specified penalty payable in respect of a contravention of a provision of this bylaw is the amount shown in Schedule "B" in respect of that provision.
- 19.3 The minimum penalty payable in respect of a contravention of a provision of this bylaw is the amount shown in Schedule "B" in respect of that provision.
- 19.4 Notwithstanding Section 19.3:
- 19.4.1 where any person contravenes the same provision of this bylaw more than once within an eighteen-month (18) period, the specified penalty payable in respect of the subsequent contravention is doubled the amount shown in respect of that provision; and
- 19.4.2 where any person contravenes the same provision of this bylaw three or more times within one twelve (12) month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount shown in respect of that provision.



**BYLAW #871
GARBAGE**

20 Compliance with Other Legislation

20.1 No section of this bylaw relieves a person from complying with any federal or provincial law or regulation other bylaw or any requirements of any lawful permit, order, consent, or other direction.

21 Validity of Bylaw

21.1 Every provision of this bylaw is independent of all other provisions, if any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw shall remain valid and enforceable.

22 READING AND REPEALS

- 22.1 Bylaw #871 shall take effect upon third and final reading.
- 22.2 The Waste Bylaw, being Bylaw #639 is hereby repealed.
- 22.3 The Garbage Bylaw, being Bylaw #838 is hereby repealed.

23 READINGS

This Bylaw will become effective upon final reading thereof.

- 23.1 Read a first time this 27TH day of MAY, A.D., 2024
- 23.2 Read a second time this 10TH day of JUNE, A.D., 2024
- 23.3 Read a third time and finally passed this 10TH day of JUNE, A.D., 2024

TOWN OF STAVELY



CHIEF ELECTED OFFICIAL-Mayor



CHIEF ADMINISTRATIVE OFFICER-CAO



**BYLAW #871
GARBAGE**

**SCHEDULE "A"
Fees**

GARBAGE SERVICES (Monthly)	FEES
Monthly garbage charges for all non-residential/Oxley consumers	\$25.00
Monthly garbage charge for school consumer	\$34.00
Monthly garbage charge for residential consumers	\$20.00
Additional bag of Garbage (Garbage Tags)	\$5.00 each
SPRING AND FALL CLEAN-UP	FEES
Couches, love seats, mattresses, box springs	\$10.00 each
Chairs, tables, armchairs	\$5.00 each
Dryers, washers, stoves, water tanks	\$5.00 each
Refrigerators, freezers, a/c units	\$30.00 each Freon charge
Wood Items	\$10.00
Aluminium Patio Sets	\$5.00
Discretionary Charge for Labour Intensive & Bulk items	\$5.00 - \$10.00

SCHEDULE "B"

Penalties

Section	Description	1st Offence	2nd Offence	3rd & Subsequent Offences
4.0	Preparation of Waste Material for Collection	\$75	\$150	\$225
5.0	Location of Waste Receptacle for Collection	\$75	\$150	\$225
7.0	Prohibited Items	\$200	\$400	\$600
	All other sections	\$75	\$150	\$225

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