

MUNICIPALITY OF JASPER

BYLAW #20

BEING A BYLAW OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA TO REGULATE THE COLLECTION, REMOVAL AND DISPOSAL OF SOLID WASTE WITHIN THE TOWN OF JASPER.

WHEREAS pursuant to the provisions of the Agreement for the Establishment of Local Government in Jasper dated June 13th, 2001 and the Agreement for the Provision of Interim Municipal Services and Functions between the Municipality of Jasper and Her Majesty the Queen in Right of Canada dated 1 April 2002, the Council of the Municipality of Jasper is responsible for the collection, removal and disposal of garbage, refuse and other waste within the Town of Jasper;

NOW THEREFORE, the Council of the Municipality of Jasper in the Province of Alberta, duly assembled, enacts:

1. CITATION

1.1 This Bylaw may be cited as the “Jasper Solid Waste Bylaw”.

2. DEFINITIONS

2.1 In this Bylaw:

2.1.1 *“Animal and Agricultural Wastes”* shall mean manures, crop residues, animal offal such as carcass waste and entrails and other materials obtained from agricultural pursuits, stables and other such premises.

2.1.2 *“Approved Receptacle”* and *“Receptacle”* shall mean a type of receptacle designed for the storage of waste between Collection times that prevents access to such waste by domestic animals and wildlife, and the design, construction and location of which has been approved by the Municipal Manager;

2.1.3 *“Ash” or “Ashes”* shall mean the solid residue left when combustible material is thoroughly burned or is oxidized by chemical means;

2.1.4 *“Bulky Waste”* shall mean large items of refuse including appliances, furniture, automobiles and automobile parts, large containers, tree cuttings exceeding 1m in length or 5 cm in diameter and any other bulky material in excess of 1.2 metres in length or 23 kilograms in weight;

2.1.5 *“Business”* shall mean any Business, trade, profession, industry, occupation, employment or calling and the providing of goods and services within the Town;

2.1.5 *“Collection”* shall mean the removal of Garbage from an Approved Receptacle to a disposal location whether such removal is done by the Municipality or a contractor under contract to the Municipality;

2.1.6 *“Construction and Demolition Waste”* shall mean waste building materials and rubble resulting from construction, repair, remodelling or demolition activities and shall include tree stumps, earth, sand and stone.

2.1.7 *“Council”* shall mean the Council of the Municipality of Jasper;

2.1.8 *“Garbage”* shall mean waste or debris from domestic, commercial or industrial activities; including but not limited broken household dishes and utensils, empty or partly empty tins, boxes, cartons, bottles and containers, discarded paper and fabric and shall include Ash, Liquid Waste, Rubbish, Solid Waste and Yard Rubbish;

2.1.9 *“Garbage Unacceptable for General Collection”* shall mean Animal and Agricultural Wastes, Bulky Waste, Construction and Demolition Waste, Trade Waste, Special Wastes, and Toxic and Hazardous Materials;

2.1.10 *“Leaseholder”* shall mean a grantee or a person or other legal entity holding a valid lease or licence of occupation with the federal Crown for the use or occupation of land in Jasper National Park, and shall mean Canadian National Railway in respect of lots or land parcels held by Canadian National Railway, and shall mean Jasper National Park of Canada in respect of lots or land parcels held by the Crown.

2.1.11 *“Liquid Waste”* shall mean Garbage made up of waste materials or substances that have sufficient moisture or other liquid contents to be free flowing but that are not suitable for disposal through a sewer system.

2.1.12 *“Municipal Manager”* shall mean the Municipal Manager of the Municipality of Jasper and includes any person authorized to act for or in the name of the Municipal Manager.

2.1.13 *“Municipality”* shall mean the Municipality of Jasper;

- 2.1.14 "Owner" shall include a Leaseholder or a manager and any Person having authority over a business establishment;
- 2.1.15 Person shall mean an individual, society, partnership or corporation;
- 2.1.12 "Recyclable Garbage" shall mean those items received by any recycling program operative in the Municipality including cardboard and compost;
- 2.1.13 "Rubbish" shall mean combustible materials including paper, rags, cartons, boxes, wood excelsior, bedding, rubber, leather and plastics and non-combustible materials including metal objects and containers, ceramics, metal foils and glass;
- 2.1.14 "Solid Wastes" shall mean the useless, unwanted or discarded solid waste materials resulting from normal human activities including semi-liquid or wet wastes with insufficient liquid content to be free flowing;
- 2.1.15 "Special Wastes" shall mean:
- 2.1.15.1 "Hazardous Wastes" consisting of any waste that may present a hazard to persons, flora, fauna or public lands, including wastes of a pathological, an explosive, a highly flammable, a radioactive or a toxic nature;
- 2.1.15.2 "Sanitary Wastes" consisting of any putrifiable waste that is capable of producing conditions that may present a hazard to health but not including kitchen wastes;
- 2.1.15.3 "Natural Waste" consisting of tree stumps, soil, sand and stone; and
- 2.1.15.4 "Other Special Wastes" consisting of materials so classified by the Municipal Manager from time to time.
- 2.1.16 "Town" and "Town of Jasper" shall mean the Town of Jasper as defined in the Agreement for the Establishment of Local Government in Jasper dated June 13th, 2001;
- 2.1.15 "Toxic and Hazardous Materials" shall mean any waste that may present a hazard to persons, flora, fauna or public lands including wastes of pathological, explosives, highly flammable, radioactive or toxic nature;
- 2.1.16 "Trade Waste" shall mean petroleum products, scrap metal, tires, machinery, vehicles and parts thereof;
- 2.1.17 "Yard Rubbish" shall mean prunings, grass clippings, weeds, leaves and general garden wastes, other than Solid Wastes.
- 2.1.18 Words importing the masculine gender only, include the feminine gender whenever the context so requires and vice versa;
- 2.1.19 Words importing the singular shall include the plural or vice versa whenever the context so requires.

3. GARBAGE DISPOSAL

- 3.1 The Owner or occupant of a residential building shall transport all Garbage to, and deposit same in, an Approved Receptacle. If such Receptacle is full, the Leaseholder or Owner shall immediately so notify the Municipal Manager.
- 3.2 All Persons shall dispose of Garbage in an Approved Receptacle by first placing it in an appropriate disposable container in good repair, securely tied, with a maximum weight of 23 kg per bundle and a maximum length of 1.2 metres.
- 3.3 Ashes shall be quenched and placed in a separate container before placing in a Receptacle.
- 3.4 Subject to the other provisions of this Bylaw, dangerous or germ-carrying Garbage shall be placed in separate containers before placing in Receptacle.
- 3.5 The Owner of a business establishment shall deposit all Garbage in an Approved Receptacle designated for his Business.
- 3.6 Every Owner of an Approved Receptacle shall maintain such Approved Receptacle in a serviceable and sanitary condition satisfactory to the Municipal Manager and shall ensure that such Approved Receptacle is at all times accessible to agents of the Municipality.
- 3.7 Every Owner of an Approved Receptacle shall provide a replacement Approved Receptacle when the Municipal Manager deems the existing Approved Receptacle to be worn or damaged beyond repair.
- 3.8 No Person shall leave Garbage of any kind accessible to wildlife.

- 3.9 Except as otherwise specifically provided for in this Bylaw, the Collection, removal and disposal of Garbage within the Town of Jasper shall be under the supervision of the Municipality or its designated agents and no Person shall discard, dispose of, or deposit Garbage anywhere in the Town except in such places and at such times and under such conditions as the Municipal Manager may authorize.
- 3.10 The disposal of Garbage Unacceptable for General Collection shall be the sole responsibility of the Person controlling such Garbage and such Garbage shall not be deposited in Approved Receptacles and shall not be included in general Garbage Collection undertaken by the Municipality.

4. PROHIBITIONS

- 4.1 No Person shall convey through any street in the Town any Garbage whatever, except in vehicles or containers so constructed and arranged as to prevent the contents from falling on the streets and to protect the contents from flies and other insects and to control as much as practicable the escape of any offensive odour.
- 4.2 No Person shall, either accidentally or intentionally, dispose of in a Receptacle or place for Collection explosives, gasoline, diesel or similar combustible fuels, or Toxic and Hazardous Materials, including household hazardous waste.
- 4.3 No Person shall dispose of in an Approved Receptacle or place for Collection blood samples or cultures or other medical waste.
- 4.4 No Person shall deposit or allow to be deposited any Garbage or waste on any public property in the Town except as permitted by this Bylaw and any Person so depositing or allowing to be deposited any Garbage or waste shall immediately remove such Garbage or waste to the satisfaction of the Municipal Manager and in default of so doing, the Municipality, its officers, agents or servants may remove the same to the satisfaction of the Municipal Manager and charge the cost of such removal to the Person in control of the Garbage or waste and collect such costs in the same way as Municipal taxes and fees.
- 4.5 No Person shall interfere with any Receptacles or Garbage deposited for Collection.
- 4.6 No Person shall accumulate Garbage on his premises or allow Garbage to be accumulated on his premises.
- 4.7 All Persons shall dispose of Garbage and other matter and materials in accordance with all applicable federal and provincial legislation and the regulations there under.
- 4.8 The Municipality shall not be liable in any manner whatsoever for damage, loss or associated costs resulting from or arising from the entry by municipal personnel upon private property for the purpose of Garbage Collection.

5. OFFENCES & PENALTIES

- 5.1 Any Person who contravenes this Bylaw is guilty of an offence.
- 5.2 Persons contravening certain sections of this Bylaw shall be liable for the penalties set out opposite such section number in Schedule "A" hereto.
- 5.3 An Offence Ticket may be issued by a Peace Officer or a Bylaw Enforcement Officer to any Person alleged to have breached any provision of this Bylaw, and the said Offence Ticket shall require the payment to the Municipality of Jasper in the amount specified in this Bylaw or the regulations pursuant to the *Provincial Offences Procedure Act (Alberta)* as amended.
- 5.4 An Offence Ticket shall be deemed to be sufficiently served:
- 5.4.1 if served personally on the accused; or,
- 5.4.2 if mailed to the address of the registered Owner of the property concerned; or to the person concerned.
- 5.5 Except as otherwise provided in this Bylaw, a Person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided, is liable to a fine of 100.00.
- 5.6 Except as otherwise provided in this Bylaw, every Person who, upon conviction, is found guilty of a second or subsequent offence under this Bylaw within one (1) calendar year of the first offence is liable to a fine of \$250.00.
- 5.7 Any Person found in contravention of a provision of this Bylaw and who does not comply with the directions of the Municipal Manager in correcting the violation under this Bylaw is guilty of an offence and the said violation may be remedied by the Municipality to the satisfaction of the Municipal Manager.
- 5.8 In addition to any other remedy available to the Municipality for non-compliance with this Bylaw, the Municipality may correct any violation to the satisfaction of the Municipal Manager and the costs incurred therefore shall be paid to the Municipality upon demand and failing payment, may be collected in the same manner as Municipal taxes and fees.

6. COMING INTO EFFECT

- 6.1 This Bylaw shall come into force and effect on the final day of passing thereof.
- 6.2 If any provision herein is adjudged to be repugnant to any federal regulation or legislation, this Bylaw shall continue in full force and effect but any such repugnant provision shall be of no force or effect until such time as the repugnancy is removed by repeal or amendment of the federal legislation or regulation.

GIVEN FIRST READING THIS 10th DAY OF SEPTEMBER A.D., 2002

GIVEN SECOND READING THIS 8th DAY OF OCTOBER A.D., 2002

GIVEN THIRD AND FINAL READING THIS 12th DAY OF NOVEMBER A.D., 2002

Mayor

Municipal Manager

Schedule 'A'

Penalties

3.1	Failure to deposit Garbage in Approved Receptacle (residential)	\$50
3.1	Failure to deposit Garbage in Approved Receptacle, 2 nd offence in calendar year (residential)	\$100
3.1	Failure to deposit Garbage in Approved Receptacle, 3 rd offence in calendar year (residential)	\$150
3.5	Failure to deposit Garbage in Approved Receptacle (commercial)	\$100
3.5	Failure to deposit Garbage in Approved Receptacle, 2 nd offence in calendar year (commercial)	\$150
3.5	Failure to deposit Garbage in Approved Receptacle, 3 rd offence in calendar year (commercial)	\$300
3.6	Failure to maintain or provide access to Approved Receptacle	\$250
3.7	Failure to replace Approved Receptacle when so directed	\$250
3.8	Leave Garbage accessible to wildlife	\$100
3.10	Dispose of Garbage Unacceptable for General Collection in Approved Receptacles	\$500
4.2	Dispose of in a Receptacle or place for Collection explosives, gasoline, diesel or similar combustible fuels or Toxic and Hazardous Materials.	\$1000