

**TOWN OF ROCKY MOUNTAIN HOUSE  
BYLAW NO. 2024/05**

**BEING A BYLAW OF THE TOWN OF ROCKY MOUNTAIN HOUSE IN THE PROVINCE OF ALBERTA, TO REGULATE THE COLLECTION, DISPOSAL AND HANDLING OF WASTE MANAGEMENT, INCLUDING ORGANICS AND RECYCLING MATERIALS, IN THE TOWN OF ROCKY MOUNTAIN HOUSE.**

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**WHEREAS**, under the provisions of Section 7, *Municipal Government Act*, Chapter M-26, R.S.A. 2000, and amendments thereto, the Council may pass a bylaw for the establishment of public utilities, including a waste management system;

**WHEREAS**, the Town of Rocky Mountain House finds it desirable to pass a bylaw to establish and maintain a waste management system and to operate this system as a public utility;

**AND WHEREAS**, in accordance with good financial management to cover the costs of providing Waste Management Services to its residents, the municipality wishes to establish a fee structure for such services.

**NOW THEREFORE**, the Town of Rocky Mountain House Council enacts as follows: This Bylaw may be cited as the "**Waste Management Bylaw**"

**SECTION 1.0 - DEFINITIONS**

- 1.1 **"ADMINISTRATOR"** means the Chief Administrative Officer, or a person appointed by the Chief Administrative Officer as his or her designate.
- 1.2 **"APARTMENT BUILDING"** means a collective group of residential units in an apartment or condominium-style building, of more than one storey, which is managed by a property management group or person, a condominium association, or a similar board or group.
- 1.3 **"ASHES"** means the powdery residue left after the combustion of any substance and includes partially burnt wood, charcoal, or coal.
- 1.4 **"BASE RATE"** means the rate established in the Town's Fees, Rates and Charges Bylaw for the general provision of Waste Management Services.
- 1.5 **"BILLING PERIOD"** means the calendar month for which the Town calculates the Utility services, which includes January, February, March, April, May, June, July, August, September, October, November and December.
- 1.6 **"BIOLOGICAL WASTE"** means waste that is created in a hospital, necropsy facility or biological research laboratory and contains or may contain pathogenic agents that may cause disease in Persons exposed

to the waste.

- 1.7 **"BURNING"** means any material generating heat enough to create smoke, flames or sparks.
- 1.8 **"COLLECTION CART"** means the wheeled receptacle cart system, that has been allocated to an eligible residential premise by the Administrator, for the collection of Waste Materials (black cart), Recycle (blue cart) and the collection of Organics Materials (green cart).
- 1.9 **"COLLECTION CONTRACTOR"** means the person, or any agent of that person, company(s) or corporation(s) authorized by the Town to collect, remove and dispose of Waste Materials, Organics and Recycle Materials from an eligible premise.
- 1.10 **"COLLECTION DAY"** means the day of the week on which the Collection Service is provided.
- 1.11 **"COLLECTION SERVICE"** means the service provided by the Town for the collection, removal and disposal of Waste Materials, Recycle and Organics Materials from an eligible premise.
- 1.12 **"COMPLUSORY SERVICE"** means the Waste Material, Recycle and Organic Material Collection Service that a Residential Premise is required to receive from the Town.
- 1.13 **"CONSTRUCTION AND DEMOLITION WASTE"** means waste material generated as a result of construction, demolition, or renovation activities that includes:
  - a. polystyrene;
  - b. fiberglass insulation;
  - c. concrete;
  - d. treated or painted lumber, or lumber containing nails, screws and staples.
  - e. siding; vinyl or tin
  - f. shingles;
  - g. drywall;
  - h. hazardous wastes; and
  - i. any other materials that may be designated as such by the Administrator.
- 1.14 **"DIRECTOR"** means the Director of Engineering and Operations.
- 1.15 **"ECO CENTRE"** means the Town of Rocky Mountain House Eco Centre, located at 5313-44 Street, in Rocky Mountain House, Alberta.
- 1.16 **"HOUSEHOLDER"** means any Owner, occupant, lessee or tenant or any other person in charge of any building or dwelling used or intended to be used as a Residential Premise including a multiple

family dwelling, but excluding commercial, industrial and institutional premises.

- 1.17 **"NON-RESIDENT"** means any user of the Eco Centre who lives outside the boundaries of the Town of Rocky Mountain House.
- 1.18 **"NON-RESIDENTIAL PREMISE"** means any building or premises that is used or is intended to be used for commercial, industrial, or institutional use, by an Owner, occupant, lessee or tenant or any other person in charge.
- 1.19 **"ORGANICS MATERIALS"** means the materials listed in Schedule "B" of to this Bylaw.
- 1.20 **"OWNER"** means the person or persons registered as the Owner(s) of a Property pursuant to the provision of the *Land Titles Act* (Alberta), as the owner of a fee simple estate in land, or a person who is recorded as the owner of a property on the tax assessment roll of the Town.
- 1.21 **"PROVINCIAL OFFENCES PROCEDURE ACT"** means the Provincial Offences Procedure Act, RSA 2000, c P-34, as amended from time to time.
- 1.22 **"RECYCLABLES"** means generally accepted materials for recycling, as defined in Schedule "A".
- 1.23 **"RECYCLING SERVICE"** means the services provided that allow for community recycling, both at the Rocky Mountain House Eco Centre and curbside collection for eligible residential properties.
- 1.24 **"RESIDENTIAL PREMISE"** means a building or premises that has a residential use by an Owner, occupant, lessee or tenant or any other person, but excluding Apartment Buildings, Residential Complexes, commercial, industrial, and institutional premises.
- 1.25 **"RESIDENTIAL COMPLEX"** means a collective group of three or more residential units, including a manufactured home park, row housing, and town housing, that is managed by a property management group or person, a condominium association, or a similar group, but excludes an Apartment Building.
- 1.26 **"ROCKY PASS"** means the card obtained at the Rocky Mountain House Eco Centre or Town Office, that allows a person to access and use the Rocky Mountain House Eco Centre.
- 1.27 **"TOWN"** means the Town of Rocky Mountain House.
- 1.28 **"WASTE MATERIALS"** means all normal refuse and waste which results from the operation of a household and shall, without restricting the generality of the foregoing, include packaging materials, rags, as

well as Ashes from wood burning appliances. It shall not include Recyclables, or Organics Materials, rubble and other waste from construction or demolition, dead animals, human feces, automobiles or other machinery, waste from institutional, industrial, or commercial premises, or hazardous, explosive or toxic materials.

- 1.29 **"YARD WASTE"** means materials generated in growing and tending to yards and plants and includes, but is not limited to, (a) grass clippings, (b) twigs, (c) house and garden plants, (d) sawdust and wood shavings, and (e) any other material designated as such by the Administrator.

## **SECTION 2.0 - APPLICATIONS**

- 2.1 Nothing in this Bylaw relieves a Person from complying with any provision of any federal or provincial law or regulation, other bylaw, or any requirement of any lawful permit, order or license.
- 2.2 Specific reference to other bylaws, statutes and regulations are intended to refer to the current laws applicable within the Province of Alberta or municipality, at the time this Bylaw is enacted, and as may be amended from time to time, including successor legislation.
- 2.3 All the schedules attached to this Bylaw shall form a part of this Bylaw.
- 2.4 All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

## **SECTION 3.0 - GENERAL**

- 3.1 The administrator shall administer and enforce the provisions of the Bylaw and, for this purpose, may:
- a. delegate any of the administrator's powers, duties, or functions under this Bylaw to an employee and/or Collection Contractor of the Town;
  - b. designate a particular time and day of the week for the Collection Service in each area of Town;
  - c. designate the location, hours of operation, conditions of operations, and guidelines for accepting Recyclables and bagged Waste Materials at the Eco Centre;
  - d. organize the collection of Waste Materials and/or Organics Materials, including:
    - i. establishing locations for the Collection Service;
    - ii. establishing the frequency of the Collection Service;
    - iii. designating which materials shall be accepted;
    - iv. managing and overseeing the contract of any Collection Contractor; and

- v. taking any recourse allowed under the *Municipal Government Act* to secure payment of any Collection Services, or Recyclables utility bill.
  - e. designate the location, hours of operation, conditions of operations, and guidelines for the establishment and/or operations of the Reuse Centre.
- 3.2 The Collection Service shall be provided to all Residential Premises.
- 3.3 The Collection Service for Apartment Buildings and Residential Complexes will be at the discretion of the Administrator. Criteria will include but not be limited to the physical feasibility of the placement of Collection Carts. In such cases, where the Administrator deems it suitable, a private commercial waste hauler shall be required to collect Waste Materials at the expense of the Owner.
- 3.4 Apartment Buildings and Residential Complexes that do not receive the Collection Service shall pay the Non-Residential Rate, under the Town's Fees, Rates and Charges Bylaw.
- 3.5 Non-Residential Premises will be required to arrange for a private commercial waste hauler to collect and dispose of their Waste Materials at their expense.
- 3.6 Waste Materials and Organics Materials shall be collected at a frequency determined by the Administrator, from all Residential Premises and any other premises as approved by the Administrator, except in the case of an unusual or emergency situation.
- 3.7 No person shall collect, dispose of, or remove Waste Material, Organics Material, or Recyclables except in accordance with the provisions of this Bylaw.
- 3.8 No person other than a Householder or the Collection Contractor shall open any Collection Cart or in any way disturb the contents thereof or handle, interfere with or disturb any Waste Material, Organics Material or Recyclables put out for collection or removal.
- 3.9 Needles must be disposed of into a Sharp's container with the tip point down, placed into such a container with a lid, and dropped off at a designated needle disposal location.
- 3.10 No person shall deposit any dead wildlife or domestic animals, manure, excrement, Waste Material, Organics Material, refuse, liquid waste or other filth upon or into any street, service lane, alley, highway, ditch, water course or onto any land except with the written consent of the Town.
- 3.11 No person shall operate within the Town a vehicle transporting Waste

Material, Organics Material or Recyclables unless these materials are completely enclosed, or securely covered, or secured so as to prevent any portion of the Waste Material, Organics Material or Recyclables from falling off or out of the vehicle, whether in transit or not.

- 3.12 The Town shall be under no obligation to collect, accept or dispose of any Waste Material, Organics Material, Recyclable Material or other materials or substances which do not comply with this Bylaw or are not set out for the Collection Service or otherwise provided to the Town in accordance with this Bylaw.

#### **SECTION 4.0 - COLLECTION CARTS**

- 4.1 The Collection Service will occur in accordance with the schedule established by the Administrator.
- 4.2 A Waste Material, Organics Material and Recycle Collection Cart shall be provided to all Residential Premises and any other premise that the Administrator has approved to receive the Collection Service.
- 4.3 The Collection Carts, as per Section 4.2, will be limited to one (1) numbered Black Waste Collection Cart, one (1) numbered Green Organics Collection Cart, and one (1) Blue Recycle Cart which will be assigned to and remain with the Householder, until removed by the Collection Contractor.
- 4.4 If a Householder moves from a Residential Premise, the Collection Carts must remain with the assigned property.
- 4.5 If a Collection Cart becomes lost, damaged, or is removed from an eligible property, a replacement Collection Cart will be required and the Householder shall be responsible for any replacement cost of the Collection Cart, as per the Town's Fees, Rates and Charges Bylaw.
- 4.6 Householders are responsible for ensuring the care and cleaning of the Collection Carts.
- 4.7 Owners are responsible for the assigned Collection Carts being used by tenants who are renting, leasing or otherwise occupying the premise.
- 4.8 The Collection Contractor will be responsible for the regular maintenance of the Collection Carts such as replacement of any wheels, as well as any damage which may be caused by the Collection Contractor carrying out the process of Collection Service.
- 4.9 The Town shall retain ownership of the Collection Carts at all times.
- 4.10 The Collection Contractor must ensure that the equipment used for the

Collection Service and the manner in which Waste Materials, Recyclables and Organics Materials are collected and disposed of complies with the regulations of the Town and provincial legislation.

- 4.11 A Collection Contractor must take care in the handling of Collection Carts. Collection Carts damaged during the Collection Service will be replaced by the Collection Contractor at no cost to the Town or the Householder of the Residential Premise.
- 4.12 A Collection Contractor must replace any empty Collection Carts in approximately the same location as where the Collection Carts were found.
- 4.13 A Collection Contractor must pick up any Waste Material, Recyclables or Organics Material that the Collection Contractor has spilled onto the ground during collection.
- 4.14 No Person employed in the Collection Service may pick, sort through or remove any Waste Material, Recyclables or Organics Material from a Collection Service vehicle.
- 4.15 Additional Collection Carts are available for a fee as outlined under the Town's Fees, Rates and Charges Bylaw.
- 4.16 A Collection Cart must:
  - a. be made of rigid plastic complete with a lid, handle and wheels;
  - b. the lid must remain completely closed when it is placed for Collection Service;
  - c. the lid must be suitable to prevent Waste Material, Recyclables or Organics Material from spilling or blowing from the Collection Cart;
  - d. have a capacity of 240 or 360 litres.

#### **SECTION 5.0 - WASTE/RECYCLABLE/ORGANICS MATERIAL COLLECTION AND DISPOSAL**

- 5.1 All Householders shall at all times ensure that any accepted Waste Materials, Recyclables and Organics Materials are kept within the Collection Cart provided for that purpose and not allow any Waste Material or Organics Material to spill over or accumulate on any land, street, or other public or private property.
- 5.2 All Householders must ensure that the volume of Waste Material, Recyclables or Organics Material in the Collection Cart does not exceed the volume of the Collection Cart.
- 5.3 The Householder must ensure that the lid of the Collection Cart is completely closed, except when being emptied or filled.

- 5.4 The weight of the Collection Cart must not exceed 90 kilograms.
- 5.5 Waste Material, Recyclables or Organics Material must be placed in the Collection Cart so as to prevent their escape into the environment during the collection process.
- 5.6 Pet feces or cat litter packaged in plastic bags must be placed in the Waste Material Collection Cart. Pet feces or cat litter packaged in paper or compostable bags must be placed in the Organics Material Collection Cart.
- 5.7 Glass or sharp objects must be tightly wrapped in cardboard or another suitable material and clearly marked to prevent injury to the Collection Contractor or their personnel.
- 5.8 Dead wildlife or domestic animals weighing less than 10kg/22lbs must be securely double-bagged and placed in the black waste cart. Carcasses greater than 10kg/22lbs, or that are unable to be double bagged and fit inside the black cart with the lid closed, must be taken to the Regional Landfill.
- 5.9 No person shall place, permit to be placed, or mix any of the following materials into the Waste Material, Recyclables or Organics Material Collection Carts:
  - a. any highly combustible or explosive waste, including, without restricting the generality of the foregoing, such materials as hot ashes, ignitable waste, or toxic materials;
  - b. any compound that may be considered dangerous or hazardous under the provisions of any other legislation whether Provincial or Federal;
  - c. luminescent gas-filled tubes;
  - d. dead wildlife or domestic animal carcasses weighing greater than 10kg/22lbs.
- 5.10 Where a Collection Cart is to be collected from a property from the front street, the Householder of the property must place the Collection Cart:
  - a. in a location where it is on the street with the wheels within 1.0 metre of the curb in such a manner that the Collection Cart does not impede pedestrian traffic;
  - b. in a position that the front of the Collection Cart is facing out towards the street;
  - c. where it has 1.0m clearance from any obstructions on all sides such that the Collection Contractor shall have direct access thereto and shall be able to conveniently collect the Collection Cart therefrom;
  - d. or in another position approved by the Town.
- 5.11 Where a Collection Cart is to be collected from a property from the lane, the Householder of the property must place the Collection Cart:



- a. in a location adjacent to the back-property line within 0.5 metres of the lane edge in such a manner that the Collection Cart does not impede vehicle traffic;
  - b. in a position that the front of the Waste Receptacle is facing out towards the lane;
  - c. where it has 1.0m clearance from any obstructions on all sides such that the Collection Contractor shall have direct access thereto and shall be able to conveniently collect the Collection Cart therefrom;
  - d. or in another position approved by the Town.
- 5.12 All Householders of a property may place the appropriate Collection Cart for collection purposes in their approved collection location as per Section 5.9 or 5.10, after the hour of 8:00 p.m. the previous day of Collection Day.
- 5.13 All Householders shall remove such Collection Cart from their collection location within twelve (12) hours after the collection is completed.
- 5.14 Except as allowed under Section 5.9 and 5.10, a Collection Cart must be kept and maintained on the property and in accordance with the provisions of this Bylaw. Any Collection Cart on any sidewalk, street or lane in the Town and not in compliance with the provisions of this Bylaw, would be in violation.
- 5.15 Any Waste Material or Organics Material not in the Collection Cart shall not be picked up by the Collection Contractor.
- 5.16 Any Waste Material that requires special handling such as tires, large auto parts, furniture, white goods (appliances), dead wildlife or domestic animals weighing greater than 10kg/22lbs, or toxic or hazardous Waste shall not be placed in the Collection Cart, and if placed in the Collection Cart, it shall not be picked up by the Collection Contractor.
- 5.17 A Collection Contractor, at his/her discretion, shall have the right to refuse the Collection Service, if the Collection Cart does not meet the requirements of this Bylaw.
- 5.18 Except where otherwise approved by the Town, no Collection Contractor shall be required to collect Waste Material, Recyclables or Organics Material from inside any building or be required to pass through a building in order to collect Waste Material or Organics Material.
- 5.19 For approved secondary suites, a second set of Collection Carts will be provided by the Collection Contractor and the utility account for which the secondary suite is contained will be charged an additional rate for the additional set of Collection Carts, as per the Town's Fees Rates and Charges Bylaw. If the secondary suite is not being used as a secondary suite, the Owner may submit an affidavit to the Director stating this along with a written request to return the second set of Collection Carts

to the Collection Contractor and to remove the additional charge from the utility account for which the secondary suite is contained.

- 5.20 No person shall park a vehicle within 1.0 m of a Collection Cart on Collection Day.
- 5.21 No person shall park a vehicle perpendicular to the curb edge of the road on Collection Day, so as to prevent the Collection Contractor from reaching the Collection Cart.
- 5.22 No person shall block or restrict access by the Collection Contractor on any roadway or lane when the Collection Contractor is attempting to provide Collection Services.

## **SECTION 6.0 - RECYCLING SERVICE - ECO CENTRE**

- 6.1 The Eco Centre will provide the location for Recycling Services and bagged Waste Material drop-off in the Town of Rocky Mountain House.
- 6.2 All users of the Eco Centre shall require an Access Card, also known as a 'Rocky Card', to access and use the Eco Centre.
- 6.3 All Residential Premises and Non-Residential Premises shall have access to the Eco Centre, by virtue of paying the monthly waste collection fee that is on their utility bill. This includes Apartment Buildings and Residential Complexes. These rates are outlined under the Town's Fees, Rates and Charges Bylaw.
- 6.4 Recyclables that are accepted at the Eco Centre shall be restricted to the materials as set out in Schedule "A" attached.
- 6.5 No person shall place, permit to be placed, or dispose of the following materials at the Eco Centre:
  - a. any highly combustible or explosive waste, including, without restricting the generality of the foregoing, such materials as hot ashes, ignitable waste, or toxic materials;
  - b. any compound that may be considered dangerous or hazardous under the provisions of any other legislation whether Provincial or Federal;
  - c. luminescent gas-filled tubes;
  - d. construction or demolition waste;
  - e. Dead wildlife or domestic animals.
- 6.6 No user of the Eco Centre shall deposit any materials not accepted at the Eco Centre.
- 6.7 All users of the Eco Centre shall deposit Recyclables in accordance with the signage at the site.

- 6.8 All Recyclables shall be deposited in a manner which will minimize scattering by the wind.
- 6.9 All Recyclables deposited at the Eco Centre shall be in a clean and dry condition.

**SECTION 7.0 - NON-RESIDENTIAL PREMISES, APARTMENT BUILDINGS AND RESIDENTIAL COMPLEXES - WASTE SERVICES AND RECYCLABLES**

- 7.1 It is the responsibility of Non-Residential Premises, Apartment Buildings and Residential Complexes, not approved for the Collection Service, to arrange and pay for Waste Material collection services from a private commercial waste hauler, including the payment of any tipping fees to the private commercial waste hauler.
- 7.2 Non-Residential Premises, and residents of Apartment Buildings and Residential Complexes shall be required to apply for a Rocky Card to access and utilize the Eco Centre.

**SECTION 8.0 - NON-RESIDENT USE OF THE ECO CENTRE**

- 8.1 Any Non-Resident shall have access to the Town's Eco Centre, upon payment of the Non-Resident fee, as outlined under the Fees, Rates and Charges Bylaw.
- 8.2 Any Non-Resident will be required to have an Access Card, also known as the Rocky Card, to access the Town's Eco Centre.

**SECTION 9.0 - FEES AND RATES**

- 9.1 Every person, firm or corporation being a registered Owner or purchaser entitled to possession under an agreement for sale of property which is served by the Collection Services of the Town, shall pay charges for the collection, removal and disposal of Waste Material, Recyclables and Organics Material in accordance with the rates established in the Fees, Rates and Charges Bylaw.
- 9.2 Every person, firm or corporation being a registered Owner or purchaser entitled to possession under an agreement for sale of property which is served by the Recycling Services of the Town, shall pay charges for the ability to access and use the Eco Centre in accordance with the rates established in the Fees, Rates and Charges Bylaw.
- 9.3 The Town shall provide all Owners with a Utility bill that includes Collection Services or Eco Centre access, for each Billing Period, as established under the Town's Fees, Rates and Charges Bylaw requiring payment by the date specified on the Utility bill. The fees will be charged whether the services are being used or not.

- 9.4 Any Utility bill which remains unpaid after the specified due date is subject to a penalty as established by Council under the Town's Fees, Rates and Charges Bylaw.
- 9.5 If the Owner is in default of payment of the said charges, the amount of such sums in default shall be a charged against the property for which the service was provided. Such charges shall be subject to the same penalties and collected by the same manner as other utilities levied by the Town and collected by the Town by whatever means available, including transferring charges to the Property Tax.
- 9.6 The Owner of residential lands or premises may remove the Waste Material, Organics Material and/or Recyclables from the lands or premises at their own expense, and employ other person(s) for such purpose, but such action shall not relieve the Owner of this liability to pay the Town the fees levied under the Town's Fees, Rates and Charges Bylaw, for services provided under this Bylaw, for removal of Waste Material, Recyclables, Organics Material and/or access to the Eco Centre.

## **SECTION 10.0 - VICARIOUS LIABILITY**

- 10.1 In this Bylaw, employees, employers, principals, and agents, are each severally liable and each guilty of the offence for any contravention of or any failure to comply with this Bylaw committed in the course of employment or in the course of the agent's exercising powers or performing duties on behalf of their principal. When a corporation contravenes or fails to comply with the terms of this Bylaw, every principal, director, officer, manager, employee or agent of the corporation who authorized, assented to, acquiesced, or participated in the act or omission that constitutes the offence is severally liable and guilty of the offence.
- 10.2 In this Bylaw, the legal and beneficial owners of any land are each severally liable and each guilty of the offence if the tenant(s), lessee(s), or occupier(s) of such land contravene or fail to comply with this Bylaw in relation to such land.
- 10.3 In this Bylaw, the operator and the owner(s) of any vehicle are each severally liable and each guilty of the offence if either of them contravenes or fails to comply with this Bylaw in relation to any such vehicle. In this section, "owner has the same definition as is used in the Traffic Safety Act, RSA 2000, c T-6, and all amendments thereto.

## **SECTION 11.0 - OFFENCES and PENALTIES**

- 11.1 Any person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable to a fine, as outlined in Schedule 'B' of this Bylaw.
- 11.2 Notwithstanding the foregoing, the minimum fine payable in respect of a contravention of this Bylaw for any offence is \$125.00.

- 11.3 A contravention of this Bylaw constitutes a separate offence in respect of each day or part of a day on which it continues. A person guilty of such offence is liable to a fine in an amount not less than that established by this bylaw for each such day. No proceedings may be instituted under this Bylaw more than 6 months after the last occurrence of the alleged offence.
- 11.4 Notwithstanding the foregoing, the minimum fine and specified penalty payable in respect of a second or subsequent contravention of the same section of this Bylaw committed within twenty-four (24) months shall be double the minimum fine and specified penalty of the previous offence, up to a maximum penalty of \$1,000.00.

## **SECTION 12.0 - INSPECTING and REMEDYING CONTRAVENTIONS**

- 12.1 On behalf of the Town of Rocky Mountain House, any Peace Officer, employee or agent of the Town of Rocky Mountain House may enter upon any parcel of land within the Town of Rocky Mountain House and take any actions or measures deemed necessary by such person(s) to achieve any of the following purposes:
- a. to carry out any inspections to determine compliance with this Bylaw;
  - b. to deal with the unsightly condition of the property;
  - c. to *enforce* this Bylaw; or
  - d. to prevent a re-occurrence of any contravention of this Bylaw.
- 12.2 Except as otherwise provided, in this Bylaw, notice shall be provided as follows:
- a. when an investigation to determine compliance is conducted, notice may be affected upon the occupants of the premises in writing or verbally not less than 24 hours in advance and need not be in the form of an Order to Remedy.
- 12.3 All expenses, costs, and legal costs on a solicitor-client basis incurred by the Town of Rocky Mountain House or its agents for any such action or measure performed pursuant to this Bylaw or the Municipal Government Act, RSA 2000, c M-26, and all amendments thereto, are amounts owing to the Town of Rocky Mountain House by the person who was required to do something by the Order to Remedy, shall be paid within 30 days of any such person receiving notice of the amount due by registered mail served and effective in the same manner as the Order to Remedy, and are amounts which may be added to the property tax roll, the business tax roll, or both pursuant to the Municipal Government Act, RSA 2000, c M-26, and all amendments thereto.
- 12.4 No person shall obstruct or hinder any other person in the exercise or performance of that person's powers pursuant to this Bylaw.

## **SECTION 13.0 - VIOLATION TAGS**

- 13.1 Any Peace Officer, in that Officer's sole discretion, is hereby authorized and empowered to issue a Violation Tag to any person whom the Peace Officer has reasonable and probable grounds to believe has contravened or failed to comply with any provision of this Bylaw. In this Bylaw, "Peace Officer shall have the same definition as contained in the Provincial Offences Procedure Act, RSA 2000, c P-34 and all amendments thereto.
- 13.2 A Violation Tag may be issued to any person either:
- a. personally;
  - b. by placing a copy of the Violation Tag upon a vehicle registered to such person; or
  - c. by mailing a copy to such person by registered or ordinary mail to their last known mailing address.
- 13.3 A Violation Tag shall be in a form approved by the Town of Rocky Mountain House and shall include:
- a. the name of the person;
  - b. the offence;
  - c. the date upon which the offence was committed;
  - d. the applicable section number(s) of this Bylaw that was contravened;
  - e. the appropriate specified penalty or minimum fine for the offence as prescribed by this Bylaw;
  - f. the time within which the entire penalty must be paid to the Town of Rocky Mountain House; and
  - g. that if payment is not received within the time permitted by such Violation Tag, there shall be an administrative surcharge of \$20.00, or 20% of the specified penalty, whichever amount is greater.
- 13.4 If payment is received by the Town of Rocky Mountain House within the period of time permitted by any such Violation Tag, no Information or Violation Ticket may be issued against the same offender for the same offence.
- 13.5 Except where a Violation Tag has been paid as prescribed herein, nothing in this Bylaw shall limit a Peace Officer's discretion to issue a Violation Ticket pursuant to the Provincial Offences Procedure Act, RSA 2000, c P-34 and all amendments thereto, or instead lay an Information pursuant to the Criminal Code, RSC 1985, c C-46 and all amendments thereto, at any time within 6 months of the last occurrence of the offence, regardless of whether or not a Violation Tag has been issued.
- 13.6 Any Peace Officer, in that Officer's sole discretion, is authorized to issue a Violation Ticket which permits the voluntary payment of the fine or specified penalty indicated thereon in the manner specified by the

Provincial Offences Procedure Act, RSA 2000, c P-34, and all amendments and regulations thereto.

13.7 Any fine or penalty imposed upon conviction for any offence occurring within the Town of Rocky Mountain House ensures to the benefit of the Town of Rocky Mountain House.

#### **SECTION 14.0 - VALIDITY**

14.1 Waste Management Bylaw 2020/25 and amendments are hereby repealed.

14.2 The invalidity of any section, clause, sentence or provision of this Bylaw shall not affect the validity of any other part of this Bylaw, which can be given effect with such invalid part or parts.

#### **SECTION 15.0 - AMENDMENTS**

15.1 Council may, by Bylaw or resolution in Council, alter, amend or repeal any or all of the Schedules, which form part of the Bylaw.

#### **SECTION 16.0 - EFFECTIVE DATE**

16.1 This Bylaw shall take full force and effect on third and final reading and upon signing in accordance with Section 213, Municipal Government Act.

This Bylaw shall take full force and effect upon third and final reading.

READ a first time this 21<sup>st</sup> day of March, 2024.

READ a second time this 21<sup>st</sup> day of March, 2024.

READ a third time and passed this 2<sup>nd</sup> day of April, 2024.

Redacted under Section 17 of the FOIP Act.

**Mayor Debbie Baich**

Redacted under Section 17 of the FOIP Act.

**CAO Dean Krause**

## SCHEDULE "A" RECYCLABLE MATERIALS

Acceptable recycling materials at the Eco Centre as listed below:

|  |  |
|--|--|
| <b>MIXED RECYCLABLES</b>   |  |
| <ol style="list-style-type: none"> <li>1. Remove lids and caps from all bottles and cans.</li> <li>2. Empty and rinse containers. Labels can be left on.</li> <li>3. Place recyclables loose in the recycle bin.</li> <li>4. Shredded paper must be bagged.</li> </ol> |  |
| <b>PAPER PRODUCTS:</b>   |  |
| <ul style="list-style-type: none"> <li>• Newspaper &amp; Flyers</li> <li>• Cardboard egg cartons</li> <li>• Office Paper</li> </ul>  | <ul style="list-style-type: none"> <li>• Magazines &amp; paper bags</li> <li>• Telephone books</li> <li>• Shredded paper in a clear bag</li> </ul>     |
| <b>PLASTICS:</b>   |  |
| <ul style="list-style-type: none"> <li>• Numbered plastics 1-7</li> <li>• Detergent jugs</li> </ul>  | <ul style="list-style-type: none"> <li>• Shampoo bottles</li> <li>• Food containers (rinsed and free of contaminants)</li> </ul>                       |
| <b>METAL CANS &amp; FOIL TRAYS</b>   |  |
| <ul style="list-style-type: none"> <li>• Metal cans and foil trays (rinsed and free if contaminants)</li> </ul>  |  |
| <b>DO NOT INCLUDED THE FOLLOWING ITEMS WITH THE MIXED RECYCLABLES:</b>   |  |
| <ul style="list-style-type: none"> <li>• Household hazardous</li> <li>• Styrofoam</li> <li>• Scrap metal</li> <li>• Glass jars</li> <li>• Disposable coffee cups</li> </ul>  | <ul style="list-style-type: none"> <li>• Batteries</li> <li>• Plastic bags</li> <li>• Plastic film</li> <li>• Paper towel &amp; tissue</li> </ul>      |
| <b>ACCEPTED MATERIALS</b>  |  |
| <b>CARDBOARD</b>   | <b>PLASTIC BAGS</b>  |
| <ul style="list-style-type: none"> <li>• Flattened corrugated cardboard</li> <li>• Boxboard (ie., cereal boxes)</li> <li>• Cardboard and paper tubes/rolls</li> <li>• NO pizza boxes</li> </ul>  | <ul style="list-style-type: none"> <li>• Plastic bags</li> <li>• Clean plastic wrap/food film</li> </ul>   |
| <b>GLASS</b>   | <b>CLEAN WOOD</b>  |
| <ul style="list-style-type: none"> <li>• CLEAN glass only</li> <li>• Caps, stoppers, lids and labels removed</li> </ul>  | <ul style="list-style-type: none"> <li>• Pallets</li> <li>• Scrap wood and lumber</li> <li>• NO paint or treated lumber</li> </ul>                     |
| <b>YARD WASTE</b>  | <b>ELECTRONICS</b>   |
| <ul style="list-style-type: none"> <li>• Branches</li> <li>• Leaves (paper bags only)</li> <li>• Grass clippings (paper bags only)</li> </ul>  | <ul style="list-style-type: none"> <li>• TVs and Computers</li> <li>• Keyboards, telephones</li> <li>• Printers</li> <li>• Small appliances</li> </ul> |
| <b>HOUSEHOLD HAZARDOUS MATERIALS</b>   | <b>SCRAP METAL</b>   |
| <ul style="list-style-type: none"> <li>• In original packaging/container</li> </ul>  | <ul style="list-style-type: none"> <li>• White metal (appliances without freon)</li> <li>• Scrap metal</li> </ul>                                      |
| <b>APPLIANCES</b>  | <b>OIL &amp; ANTIFREEZE</b>  |
| <ul style="list-style-type: none"> <li>• \$20 fee for fridges and freezers (freon-removal charge)</li> </ul>   | <ul style="list-style-type: none"> <li>• Place containers on bench - attendants will handle products</li> </ul>  |
| <b>BATTERIES &amp; TIRES</b>   | <b>MATTRESSES</b>  |
|  | <ul style="list-style-type: none"> <li>• Subject to Fee</li> </ul>   |
| NOT ACCEPTED: PRESSURIZED CANISTERS, RADIOACTIVE MATERIALS, EXPLOSIVES, BIOLOGICAL OR MEDICAL SHARPS OR NEEDLES  |  |



## **SCHEDULE "B"**

**The following materials are acceptable Residential Organics Materials for the Organics Cart:**

- Fruit and Vegetable Scraps, peelings
- Food Leftovers, plate scrapings
- Meat, fish, giblets and bones
- Dairy Products, butter, mayonnaise, dressings
- Eggshells
- Bread, cereal, grains
- Pasta, pizza
- Baked goods, candies
- Flour and sugar bags
- Coffee Filters and Grounds
- Tea Bags
- Solidified fats and grease
- Baking ingredients, herbs, spices
- Houseplants, cut and dried flowers
- Nuts, pits, seeds and shells
- Soiled paper towels and tissues
- Animal bedding
- Used paper cups and plates
- Soiled wax paper
- Pizza boxes (no plastic inserts)
- Compostable serving wear and bags
- Yard and garden waste
- Leaves and grass clippings, weeds
- Tree Trimmings (branches and pruning - 15 cm in diameter)
- Dryer sheets and lint
- Pet Waste
- Sawdust and Woodchips

## SCHEDULE "C"

### PENALTIES

| OFFENCE   | SECTION                         | PENALTY                                    |
|---|---------------------------------|--|
| <b>Note: For any second or subsequent offence, fine will be doubled</b>   |                                 |  |
| Improper containment or disposal of Waste Materials or Organics Material in Collection Cart.  | Section 5.6, 5.7, 5.8, 5.9 5.16 | <b>\$125.00</b>                            |
| Depositing a prohibited material onto a street, service lane, alley, highway, ditch, water course or onto any land.                 | Section 3.10, 3.11, 5.1         | <b>\$125.00</b>                            |
| Improper storage of Collection Cart, except on Collection Day.  | Section 5.13, 5.14              | \$125.00                                   |
| Improper placement of Collection Cart for Collection Services.  | Section 5.10, 5.11, 5.12, 5.13  | <b>\$125.00</b>                            |
| Interference with or removal of the contents of any Collection Cart not belonging to the householder.                               | Section 3.7                     | \$125.00                                   |
| Improper parking near a Collection Cart or blocking the Collection Contractor so as to restrict Collection Services.                | Section 5.20, 5.21, 5.22        | <b>\$250.00</b>                            |
| Igniting or depositing a burning Recyclable and/or Waste Material and/or Organics Material into the Collection Cart.                | Section 5.9, 6.5                | <b>\$500.00</b>                            |
| Depositing a prohibited material at the Eco Centre.   | Section 3.9, 5.9, 6.5           | <b>\$250.00</b><br>Second Offence \$500.00 |
| Depositing a dangerous substance into the Collection Cart or at the Eco Centre.   | Section 5.9, 6.5                | Up to \$1,000                              |
| Failure to properly secure or enclose Recyclables, Waste Material or Organics Material from a vehicle transporting these materials. | Section 3.11                    | <b>\$125.00</b>                            |
| Failure of the Collection Contractor to comply with the regulations of the Town and/or provincial regulations.                      | Section 4.10                    | <b>\$500.00</b>                            |
| <i>Please note that Sections referenced for Offences listed under Schedule "C" may not be all inclusive.</i>                        |                                 |  |