
Town of Kyle
Bylaw No. 03-2018

A BYLAW OF THE TOWN OF KYLE IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE COLLECTION, REMOVAL AND DISPOSAL OF DOMESTIC WASTE AND OTHER REFUSE.

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

1. DEFINITIONS

- (a) “Apartment Complex” means any building or mobile home occupied or used as a place of living by more than two families, living independently of one another;
- (b) “Bulk Refuse” means large, bulky items, including wood trees, shrubs, stumps, branches, carpet, discarded furniture, equipment, large boxes and crates;
- (c) “Clerk” means the clerk/assistant administrator or administrator of the municipality;
- (d) “Council” means the council of the Town of Kyle;
- (e) “Commercial Waste” means any waste originating from any business premises or resulting from the operation of any business but shall not include Prohibited Waste;
- (f) “Designated Areas” means separate sites within the waste management site set aside for particular disposal i.e. domestic waste and rubbish, wood, metal, and clean dirt;
- (g) “Domestic Waste” means putrid animal, mineral and vegetable waste resulting from the handling, preparation, cooking and consumption of food;
- (h) “Hazardous Waste” means any waste materials designated by either the Environmental Protection Act and/or the Dangerous Goods Act of Saskatchewan and/or Canada;
- (i) “Heavy Commercial” means any premises principally used for a business engaged in the following:
- sale or warehousing of groceries or perishable goods
 - operation of a restaurant
 - operation of a hotel or motel with licensed premises and/or restaurant
 - operation of a farm machinery and equipment dealership
 - operation of a gas bar and convenience store
- (j) “Household Waste” means any waste originating from any residential premises but does not include Restricted or Prohibited Waste;
- (k) “Institutional” means any premises principally used for the following:
- Health Centre/ Long Term Care Home
 - School
 - Sask Housing Seniors Apartments
- (l) “Lane” means the back alley;
- (m) “Liquid Domestic Waste” means any waste which contains animal, mineral or vegetable matter in solution or suspension;
- (n) “Light Commercial” means any premises principally used for a profession or business and shall include any building or premises not otherwise provided for in this bylaw;
- (o) “Public Highway” means a road allowance or a road street, or land, vested in Her Majesty or set aside for such purpose and includes the entry road to the waste management site, a bridge, culvert, drain or other public improvement erected upon or in the connection with such public highway;

- (p) “Recyclable Refuse” means refuse for which a recycling collection point or recycling facility as established in the Town at the Regional Recycle centre and the Triways Single Stream bins located at the Town of Kyle Public Works compound
- (q) “Refuse” means all yard waste including grass clippings, leaves, garden refuse
- (r) “Refuse site” means the location where residents can take their refuse located at the Town of Kyle Public works compound.
- (r) “Resident” for the purposes of this bylaw means refuse generated in the Town or a municipality that has a signed landfill contribution agreement, or at the discretion of Council;
- (s) “Town” means the municipal corporation of the Town of Kyle, or where the context requires, the geographical area within the Town limits of the Town of Kyle;
- (t) “Whites” means large metallic objects such as major appliances, water heaters, stoves, furnaces, washers, dryers, refrigerators, deep freezers, dishwashers, bed springs, fencing, gates, sinks, etc.
- (u) “Waste Management Site” means the municipal waste management site located at SW PRT 15-22-15 W3. Waste management site may also refer to locations established by the Town as recycling collection points or compost collection points or recycling facilities;

2. PURPOSE

The purpose of this Bylaw is to protect the health and welfare of people and provide for the abatement of nuisances and the protection of the environment by regulating and monitoring the collection, handling and disposal of waste and recyclable material within the Town.

3. GENERAL

- a. The collection and removal of refuse materials within the town shall be done by the Public Works employees.
- b. Council may make agreements with any other authority for the collection or disposal of refuse or recycle materials.
- c. Collection frequency will be determined by Council and Public Works Foreman. This schedule, as noted in Schedule “A”, will be provided to residents and businesses.
- d. Waste collection and Compost containers and stands shall meet the standards as set out in Schedule “A”.
- e. Waste Management site located at SW PRT 15-11-15 W3 acceptable materials and unacceptable materials listed in Schedule “D”.

4. ACCUMULATION OF WASTE PROHIBITED

No owner or occupant of any land or building shall allow waste of any kind to accumulate in or on the land or building, except as permitted in this Bylaw.

5. REGULATIONS FOR COLLECTION OF WASTE, COMPOST, AND RECYCLABLE MATERIALS.

- a. The owner of property shall ensure that there is unobstructed access to waste containers. The containers must be placed at the rear of the lot bordering the lane, but not into the lane, and no further than 142 cm from the property line. Where front waste collection pickup is the only option, containers shall be placed at the front of the lot bordering the sidewalk or curb area. Heavy duty plastic bags, if securely

ties are acceptable if put out the day of pickup before 8:00 am. All containers must be removed from the front of the property by 8:00 pm the same night.

b. No person other than the owner to which the waste collection container is owned is allowed to disrupt or disturb the contents of the waste container.

c. Waste containers **must be closed and no items placed on and/or outside** of the container. **DO NOT:**
 - fill bags or container more than 40 lbs
 - pile waste on the ground beside the garbage stand
 - exceed the weekly per residential property limit of 4 large bags equivalent to 77 l container per household (excess bags may be taken by the property owner to the waste collection (landfill) site.

d. The waste collector may refuse to empty a waste collection container that:

- i. Is improperly placed,
- ii. Is not accessible for collections,
- iii. Is locked in an enclosure,
- iv. Is a danger to safe collection,
- v. May cause damage to equipment
- vi. Exceeds approved weight
- vii. Is not in approved containers
- viii. Cat litter is to be separated into a plastic bag lined container less than 45 l. It is not to be bagged with household garbage.

6. REGULATIONS FOR COLLECTION OF COMMERCIAL WASTE & RECYCLE MATERIALS

a) The owner of property shall ensure that there is unobstructed access to waste containers. Stationary waste containers shall be clearly marked "No Parking" on the loading face.

b) No person other than the owner to which a waste container belongs is allowed to disrupt or disturb the contents of the waste container.

c) Waste containers **must be closed and no items placed on and/or outside** of the waste container.

d) No owner or operator of any commercial, institutional or industrial premise shall:

- i. Dispose of commercial cooking grease except in a commercial cooking grease container.
- ii. Fail to maintain a commercial cooking grease container in a clean and sanitary state.
- ii. Dispose of oil containers, oil filters, cardboard, paper, plastic or any recyclable material accepted at the regional recycle bins.
- iv. Each commercial business must apply for Tuesday garbage pick up if required.

e) Single stream recycle materials will be accepted as posted on the single stream bin and as listed in this bylaw as Schedule "D".

f) Each commercial business that requires twice a week waste collection shall complete an application form available at the Town Office.

g) Each commercial business that requires recycle cardboard and paper pick up shall complete an application form available at the Town Office.

7. REGULATIONS FOR CONSTRUCTION MATERIALS

a) Any owner or contractor carrying out the construction, alteration or demolition of a building structure or landscaping on any property shall:

- not allow any earth or waste to be deposited upon a street or sidewalk
- not put construction material such as but not limited to: gyproc, insulation and large quantities of lumber in with domestic waste.
- in a timely manner dispose of all waste resulting from the construction, alternation, or demolition so as to ensure there is no unreasonable accumulation of waste on the property during construction, alteration or demolition;
- take all reasonable steps as may be necessary to prevent the waste from being dispersed by wind or in any other manner, on or around the property or surrounding properties during construction, alteration or demolition; and

-upon completion of the construction, alternation or demolition, clear the property of all waste and litter.

b) If such waste is not removed by the owner or the contractor, the Town may remove the waste, and the costs of so doing are a debt due to the Town by the owner or contractor.

8. REGULATIONS FOR COMPOST TRANSFER SITE

a) The hours of operation will be set out by the Town and be posted on the Town website and at the Compost transfer site.

b) No person shall deposit unacceptable refuse at the compost transfer site.

c) The compost transfer site provided by the Town is the only place authorized for the disposal of excess yard refuse (grass clippings, garden refuse,) created in the Town.

d) Council will enforce the disposal of refuse in the specific designated areas. The appropriate compost transfer site staff may inspect all waste brought to the transfer site to determine if the load contains unacceptable waste.

e) Persons using abusive or threatening language or gestures may be refused access to the compost transfer site at the discretion of staff.

f) No person is to dispose of refuse around the perimeter of the compost transfer site.

g) No person shall remove anything from the compost transfer site without permission from the public works foreman. The Town shall own all refuse collected at the compost transfer site.

h) Where a person disposes of waste contrary to the terms of this bylaw, the Town may remove the waste and the costs of so doing are a debt due to the Town from the person who disposed of the waste.

i) The compost transfer site shall be maintained by the Public Works staff or contractor as determined by Council

j) Council shall establish hours of operations as listed in Schedule “B”. No person shall deliver any waste to the compost transfer site when the site is CLOSED for maintenance purposes.

k) No compost shall be deposited in the compost transfer site in a plastic bag – No plastic bags allowed at the compost transfer site.

l) Residential compost pick up will be by application only. Applications forms are available at the Town Office.

9. ANTI-DUMPING

a) No person shall dispose of waste or refuse anywhere in the Town other than in a waste container or at the Town Compost Transfer site. A person who has placed waste contrary to the provisions of this Bylaw shall remove the waste or cause the waste to be removed.

b) No person who transports or causes to be transported any waste in the Town shall allow the waste or any portion of it to escape from the vehicle.

c) No person shall transport or cause to be transported any waste in the Town unless proper measures, including at least one of the following, are taken to prevent the waste or any portion of it from escaping from the vehicle:

- i. the waste is covered;
- ii. The waste is in a covered container; or
- iii. The waste is securely tied down or fastened.

d) To regulate and control the dumping of refuse and waste material on property:

i. No person shall dump in the recycling bins any waste material that is not designated for recycling in the Town of Kyle or Sarcan or Single Stream recycling programs.

ii. No person shall remove snow, ice or water from a sidewalk abutting his or her premises and deposit such waste upon any abutting boulevard lane or street except where the property owner side of the sidewalk is blocked by a shrub hedge.

iii. No person shall remove leaves, branches, weeds or garden vegetation from his or her residential property and deposit such waste on the boundary or any lane abutting their property.

e) Any person who disposes or dumps waste contrary to the bylaw shall be guilty of an offence and liable to a fine on summary conviction of not less than \$100.00, nor more than \$1,000.00.

f) In addition to the fine levied on summary conviction proceedings, the person convicted of a breach of this bylaw shall be responsible for the removal of any waste dumped or disposed contrary to this bylaw.

10. ENFORCEMENT

Administration and enforcement is delegated to a Designated Officer.

The Town or its designated officer is authorized to inspect property to determine if there is compliance with this bylaw. Inspections with the bylaw shall be carried out in accordance with Section 362 of *The Municipalities Act*.

11. OFFENCES

Every person commits an offence who:

- allows waste of any kind to accumulate on or in any land or building other than permitted by this bylaw
- places or disposes waste other than permitted in this bylaw
- fails to take proper measures to prevent waste from escaping from a vehicle used to transport waste or allows waste to escape from a vehicle used to transport waste.
- being the owner of a vehicle used for carrying out the construction, alteration or demolition of any building, structure or landscaping allows any earth or waste to be deposited upon a street or sidewalk by or from any vehicle, or fails to remove such earth or waste from the street or sidewalk
- being a person other than the owner, operator or occupant to which a waste container is owned or a person that removes any waste object or materials from a waste container, compost transfer site or collection vehicle.
- fails to maintain a waste container and waste container stand in a sanitary state.
- places waste in recycling containers
- places broken glass or sharp pointed objects into household plastic garbage bags. Broken glass and sharp pointed objects must be secured in a hard plastic container marked "glass".

No person shall:

- fail to comply with an order made under this bylaw
- obstruct or hinder a designated officer acting under this bylaw
- fail to comply with any other provisions of this bylaw

12. ORDER TO REMEDY

The Town or its designated officer may issue written orders deemed necessary for effective enforcement of this Bylaw in accordance with Section 364 of *The Municipalities Act*.

If a contravention is found, notice will be served, in accordance with *The Municipalities Act*, Section 390, the owner or occupant with copies to the registered owner. A designated officer may issue a notice of violation to any person committing an offence under Section 11. The notice shall require the person to pay to the Town of Kyle, the penalty specified in Bylaw 05-2017 Section 14.

In any case where an order is not carried out, waste will be removed at the owner's or occupant's expense. If the amount payable is not paid on or before December 31 of the year the work was completed, the amount or

part thereof remaining unpaid will be added to and form part of the taxes on the owner’s property as per *The Municipalities Act* Section 369.

If payment of the penalty is made prior to the date when the person contravening the bylaw is required to appear in court to answer the charge the person shall not be liable to prosecution for that offence.

13. APPEAL OF ORDER TO REMEDY

Appeals, in accordance with *The Municipalities Act* Section 365, shall be made to the Town within fourteen (14) days of receipt of order to remedy.

14. PENALTY

Any person who contravened a provision of Bylaw 05-2017 is guilty of an offense and liable on summary conviction to a penalty

- First Offence (\$100.00)
- Second Offence (\$200.00)
- Third or subsequent offence of not less than (\$500.00) and not more than (\$10,000) in the case of an individual or (\$25,000) in the case of a corporation.

The penalty may be paid:

- in person during regular office hours at the Town of Kyle – 114 Centre St.
- by mail addressed to the Town of Kyle , Box 520, Kyle, Sask. S0L 1T0

15. COMPLIANCE WITH OTHER LAWS

Nothing in this Bylaw relieves a person from complying with any other law, including any public health legislation, any environmental protection legislation or any other Bylaw of the Town.

16. EFFECTIVE DATE

This Bylaw shall come into effect upon final reading and will repeal Bylaw 6-2009 upon it passing.

Mayor – Doug Barker

<p>Read a third time and adopted this ____ day of _____, 20__</p> <p>_____</p> <p>Administrator – Karla Marshall</p>
--

Administrator – Karla Marshall

SCHEDULE 'A'

Waste Collection Schedule

BUSINESS GARBAGE

Tuesdays – Commercial businesses only who have approved applications for Tuesday garbage pick up.

Friday - all commercial businesses

RESIDENTIAL

Friday – all residences

COMPOST

Only approved property owners, by application from May 1, to Oct 31 of each season. Day of the week and frequency to be determined annually.

COMMERCIAL RECYCLE PAPER AND CARDBOARD

Only approved commercial business by application. Day of the week and frequency to be determined annually.

SCHEDULE 'B'

Waste Collection and Compost Containers

1. All household waste, whether consisting of animal or vegetable substance, and provided the same, contains no liquid matter, shall be placed in a suitable covered receptacle provided by the householder and kept in a place convenient for removal by the authorized waste collector.
2. Garbage containers must be of metal construction or of plastic construction with tight fitting covers and at least one side handle. Wooden or metal enclosures with secure doors are acceptable.
3. The said containers shall not exceed seventy seven litres (77 L) capacity in volume.
4. All garbage containers, for back alley pickup, shall be kept on a platform that causes the base of the garbage container to be not more than sixty (60) cm above ground level. The said platform shall be situated at the rear of the lot bordering the lane. The height of the garbage can and platform shall not exceed 140 cm from the ground
5. Where front garbage pickup is the only option, containers shall be placed at the front of the lot bordering the sidewalk or curb area. Heavy plastic garbage bags, if securely tied are acceptable if put out the day of pickup.
6. No garbage container or platform shall be situated wholly or in part on lanes or alleys, or with front property pickup, on the roadway

SCHEDULE 'C'
Waste Management Site

Designated Areas for Refuse:

Large Pit

- ◆ Household Garbage
- ◆ Plastics
- ◆ Asphalt shingles (separated from wood)

Metal Areas

- ◆ Major household appliances

Wood Pit

- ◆ Clear, burnable wood allowed
- ◆ No metal mixed with wood
- ◆ No large tree stumps with dirt attached
- ◆ Not whole wooden grain bins – metal and wood must be separated

NOT ALLOWED IN THE LANDFILL

- Rubber Tires
- Cement
- Animal Wastes
- Liquid Domestic Wastes
- Manure, Grain, Petroleum Wastes
- Electronic Equipment (fax, computers, etc) *Take to Sarcan*
- Large Metal Grain bins
- Barb Wire
- Scrap Vehicles/equipment including old gas tanks

SCHEDULE "D"
Single Stream Accepted Material



SINGLE STREAM RECYCLING

Single-stream recycling is a system in which all recycle materials - fiber, plastics, tin and aluminum - are placed, unsorted, in the **BLUE** Recycle Cart or Container.



Cardboard, Boxboard, Office Paper, Newsprint, Junk Mail, Magazines and Catalogues



Plastic Containers, Milk Cartons & Plastic Milk Jugs, Shrink Wrap & Plastic Bags- Plastics numbered 1 through 7

No oil containers or chemical jugs

(Please check the bottom of containers for this symbol and number)



Tin and Aluminum Cans

(cans must be clean, with or without labels – no steel or auto parts)

The following is a list of items by area to help in knowing what to recycle.

Laundry

Laundry soap containers
Spot remover bottles
Plastic hangers
Dry cleaning plastic bags
Bleach containers
Plastic Laundry baskets

Bathroom

Shampoo bottles
Body wash bottles
Conditioner bottles
Plastic hair spray bottles
Plastic shaving containers
Toilet paper cores
Tissue boxes
Plastic Pill bottles

Kitchen

Milk jugs & Milk cartons
Creamer cartons & bottles
Paper egg cartons
Soup, Vegetable, and any other food cans
Aluminum and tin cans
Pie tins,
Plastic Juice bottles
Juice cans
Clean food wrap
Yogurt containers
Salad dressing containers
Cereal boxes
Plastic grocery bags
Pizza boxes – unsoiled
Plastic cookie and muffin containers

Office

Office paper
Catalogues, Phone books
Sticky notes, Scrap paper
Plastic bags
Cardboard boxes flattened
Plastic wrapping, Paper bags

Items not accepted

Glass, Styrofoam, ceramics, light bulbs, soiled cardboard, hazardous chemical containers, scrap metal, car parts, plastic toys, wood or household garbage