

RURAL MUNICIPALITY OF LAC DU BONNET

BY-LAW NO. 21-10

Being a by-law of the Rural Municipality of Lac du Bonnet for regulating the deposit of waste on public or private property, regulating and controlling the use of transfer stations and to repeal By-law No. 13-07.

WHEREAS:

- A. Council of the Rural Municipality of Lac du Bonnet (Municipality) deems it necessary and expedient that the depositing of waste on public and private property and the use of transfer stations be regulated and controlled;
- B. Section 232(1) of *The Municipal Act*, S.M. 1996, c.58 empowers a municipality to pass by-laws respecting the safety, health, protection and well-being of people, and the safety and protection of property;
- C. Section 250(2) empowers a municipality to maintain and operate services and facilities;
- D. Subsections 252(1)(a) and (c) authorize a municipality to set terms and conditions in respect of users of services and facilities, including setting, charging and collecting fees and other charges, and to refuse to provide the service to users who fail to comply with the terms and conditions; and

NOW THEREFORE the Council of the Municipality in council assembled enacts as follows:

1. Definitions:

“**authorized user**” means

- a) an owner of real property shown on the Municipality’s tax roll, and/or a person authorized by an owner of real property.
- b) a person who is authorized to use the transfer station by agreement with the Municipality:

“**bag**” means a flexible containment device with a single opening, not measuring more than 26 inches x 36 inches in size;

“**bulky metallic waste**” includes but is not limited to derelict vehicles, farm machinery;

“**re-useables**” means items that are made of metal or real wood.

“**truck box**” shall mean a box the following size: 5’5” wide by 7’9” long by 24” high

“**waste**” includes non-hazardous rubbish, litter, junk, junked, obsolete or derelict motor vehicles, or obsolete or derelict equipment, appliances or machinery, slimes, tailings, waste of domestic or municipal or mining or factory or industrial origin, effluent or sewage, human or animal waste, solid or liquid manure, or waste product of any kind whatsoever.

“**ewaste**” means electronic devices and components as per attached “Schedule B”.

- 2. A Gate Attendant shall be a designated officer of the Municipality, and shall have all the powers and authority of a designated officer set out in sections 239, 242 and 245 of the Municipal Act for administering and enforcing this by-law. The Municipality may appoint Gate Attendant(s) by resolution.
- 3. No person shall deposit or cause to be deposited waste upon any public or private property in the Municipality, including a highway.
- 4. A person may only deposit waste in a container suitable for the purpose.

RURAL MUNICIPALITY OF LAC DU BONNET
BY-LAW NO. 21-10

Page 2

5. Only an authorized user can access and deposit waste at a transfer station, and may do so only in accordance with the requirements of this by-law, including:
 - a. every owner of real property in the Rural Municipality of Lac du Bonnet must provide proof of identification upon request of the Gate Attendant
 - b. every person authorized by a real property owner to deposit waste must provide proof of authorization and/or identification if requested by the Gate Attendant
 - c. only on the days and during such hours of operation as the Municipality may from time to time determine and set by resolution. The Municipality will post a sign at a transfer station advising of its days and hours of operation.
 - d. the authorized user must demonstrate the nature and type of the waste to be deposited. The Gate Attendant may otherwise refuse entry to the transfer station.
 - e. only as and where directed by the Gate Attendant, and the waste must be deposited upon, immediately adjacent to, or as near as is reasonably possible to waste previously deposited at the transfer station.
 - f. the authorized user must pay the applicable fees set out in Schedule "A".
 - g. subject to 6, if the waste to be deposited is metallic waste it must be deposited within the separate area or areas of the transfer station designated by the Municipality for the depositing of such waste.
 - h. Re-useable waste must be deposited within the separate area of the transfer station designated by the Municipality for the depositing of such waste. The Transfer Station Gate Attendants shall have the sole discretion as to the acceptance of re-useables.
 - i. E-Waste must be deposited within the separate area designated by the Municipality. Electronic waste as per Schedule "B" can only be accepted at the Transfer Station 313 site.
 - j. the waste must be covered and/or secured at the time of arrival at the transfer station. If it is not, the authorized user shall have imposed the fee as set out in Schedule A. If this fee is not paid, the unpaid account shall be treated in accordance with 11.
 - k. the depositing of rubber tires will require removal of the rims. The rim shall be deposited in the metal bin and the rubber tire in the area designated for tires. A handling fee is to be assessed as per Schedule "A".
6. The Municipality deems the Transfer Station unsuitable for the depositing of bulky metallic waste.
7. The Municipality deems the Transfer Station unsuitable for the deposit of fridges, Freezers, and Air Conditioners that have had Freon removed without the proper certification stickers. Any Fridges, Freezers, and Air Conditioners without the proper certification stickers, will be assessed a breakeven fee charged by the Contractor.

RURAL MUNICIPALITY OF LAC DU BONNET
BY-LAW NO. 21-10

Page 3

8. No person shall:
 - a. cause a disturbance in or near a transfer station by
 - i. fighting, screaming, shouting, swearing, using insulting or obscene language,
 - ii. being drunk, or
 - iii. impeding or molesting other persons,
 - b. Loiter at the transfer or in any way obstruct persons who are in the site or employed at the transfer station,
 - c. Disturb the peace and quiet of the staff or authorized users at the transfer station by using firearms or by other disorderly conduct;
9. No person shall remove, damage, obliterate, render illegible, deface, or otherwise interfere with a sign or notice to which reference is made in this by-law.

Fees

10. *Bag Stickers:*
 - a. The Municipality will continue to take financial responsibility for all necessary handling fees up to and including an annual maximum of 52 bag stickers per roll number with a dwelling.
 - b. The Municipality will continue to take financial responsibility for all necessary handling fees up to and including an annual maximum of 26 bag stickers per roll number without a dwelling.
 - c. Additional bag stickers exceeding the maximum of 52 per year will be the shared responsibility of the owner and the Municipality, and the owner will be required to pay a handling fee of \$ 1.00 per sticker.
 - d. Stickers will be available for cash purchase at the Municipal Office and available for credit purchase (voucher system) at the Transfer Stations.
 - f. To ensure available quantities are kept on hand, the Municipality may restrict the maximum number of stickers that may be purchased.
 - g. **Coupons will expire June 30 of each year.**
11. *Additional Fees:*
 - a. The Municipality will assess and collect separate handling fees for all other deposits not contained in a “bag” as defined in this by-law, based on the type and volume of waste to be deposited, as set out in Schedule “A”; and
 - b. The Municipality reserves the right to make adjustments to the provided details of assessment, collection, and handling fees as it deems necessary.
12. *Payment of Fees:* The fees imposed under this by-law as determined at the transfer station shall be by invoice issued by the Gate Attendant. Such invoices are payable within 30-days of the date of the invoice. If the fee is not paid within this period, the Municipality may collect it in the same manner as a tax may be collected or enforced under the Municipal Act.
13. *Commercial/ Non-Residential/Organized Deposits:* The assessment of fees for deposits of commercial/non-residential waste, including but not limited to organized deposits such as trailer courts, shall be determined by the Municipality by resolution. The bag stickers provided for in number 10 do not apply to these deposits.

Enforcement

14. Where the Gate Attendant is of the opinion there is a violation of this by-law, the Gate Attendant may advise the person of the violation, and what must be done to remedy the violation. Where the violation is not remedied to the satisfaction of the Gate Attendant, the Gate Attendant may refuse the person access to the transfer station and order them to remedy anything done in violation of the by-law.
15. The person must comply with the Gate Attendant's order immediately. If the person fails to comply with the Gate Attendants order, the Gate Attendant may remedy the violation. The costs of an action or measure taken by the Municipality under this paragraph are an amount owing to the Municipality by the person who violated this

RURAL MUNICIPALITY OF LAC DU BONNET

BY-LAW NO. 21-10

Page 4

by-law and may be collected by the Municipality in the same manner as a tax may be collected or enforced under the Municipal Act.

16. No person shall permit waste to remain on or at a transfer station after having deposited it there in contravention of this by-law.
17. Any person who violates a provision of this by-law, in addition to being subject to the steps set out in 14-15, is also guilty of an offence and is liable on summary conviction to a fine of not more than \$1000.00.
18. By-law No. 13-07 and all amendments thereto be hereby repealed.

DONE AND PASSED in Council duly assembled, in the Council Chambers, in

Lac du Bonnet, Manitoba, this 24th day of August, 2010.

Reeve, Rick Lussier

(SEAL)

Chief Administrative Officer,
Donna Tschetter

Read a First Time: August 10, 2010
Read a Second Time: August 24, 2010
Read a Third Time: August 24, 2010

Resolution No. 497
Resolution No. 558
Resolution No. 559

RURAL MUNICIPALITY OF LAC DU BONNET

BY-LAW NO. 21-10

SCHEDULE “A” – DEPOSIT FEES BY TYPE AND VOLUME

All waste such as recyclables may be deposited at either PR #214 or PR #313 free of charge.
At PR #313 only: scrap metal, hazardous waste, rubble, oil and items for the burning pits may be deposited free of charge.

For the following items being deposited into a bin, or being placed at the transfer site for later deposit into a bin, the following applicable fees shall be charged as noted:

BAGS:

Each 26” x 36” standard bag – \$One bag sticker
Larger Bags..... \$Two bag stickers

BULK TRUCKLOADS:

Truck boxes that are larger in size than 5’5” wide by 7’9” long by 24” high shall be assessed the appropriate fee as determined by the gate attendant. Loads larger than 3 tons will be refused.

½ - ¾ ton trucks \$ 25.00
Utility trailers, single axle, non dual \$ 25.00
1 ton - 3 ton trucks \$ 75.00
Utility trailers tandem axle or dual wheel \$ 75.00

Shingles

½ ton - ¾ ton trucks \$ 50.00
Utility trailers, single axle, non dual \$ 50.00
1 ton - 2 ton trucks \$ 200.00
Utility trailers tandem axle or dual wheel \$ 200.00
3 ton trucks \$ 300.00

Loads greater than 3 tons or above prescribed trailers are to be hauled directly to St. Clements Landfill.

WINDOWS/WINDSHIELDS/APPLIANCES:

Windows/Windshields \$ One bag deposit sticker (\$1.00)
Appliances: \$ One bag deposit sticker (\$1.00)
(not including items that originally contained Freon)

For the following being deposited at the PR #313 only.

SCRAP METAL AREA:

Items that originally contained Freon bearing a certified sticker that the Freon has been removed: NO CHARGE

FREON REMOVAL AREA:

Items containing Freon and/or Freon removed but not bearing a Certified sticker that the Freon has Been removed: \$Break even fee as charged by the contractor to remove Freon

FABRIC COVERED FURNITURE:

Sofa \$ 10.00
Mattress \$ 5.00
Box spring \$ 5.00
Chair (Armchair) \$ 5.00

TIRES

Rubber tires NO CHARGE
(any size – rims removed)

CARPET & FLOORING:

8x10 foot size or smaller..... \$ 1.00
Larger than 8x10 foot size..... \$ 3.00

RE-USEABLES: NO CHARGE

UNCOVERED/UNSECURED LOADS:

All items \$ 25.00 per load

RURAL MUNICIPALITY OF LAC DU BONNET

BY-LAW 21-10

SCHEDULE "B" - ELECTRONIC WASTE RECYCLING

WHAT DO WE ACCEPT:

Computer Cables with or without connectors
Computer Cards such as sound, video, network, modems, controllers
Circuit Boards from computers, printers, fax and scanners
Internal or external CD-ROM's, DVD and CD-ROM Burners
Electronic Typewriters
Fax Machines
Hard disks (HD) and Floppy Drives (FD)
Laptops, laptop parts
Laptop accessories, chargers, batteries, cables and cards
External Modems
Networking Equipment, cards, hubs, routers, switches, cabling
Personal Computers (CPU, monitors, keyboards, mouse and peripherals)
Inkjet and Laser Printers
Software Manuals, CDs, DVDs and Diskettes
Cassette and reel-to-reel Tape players/recorders
Mobile Radios and FRS phones
Remote controls (television and stereo)
Games decks such as Play Station, X-Box and Nintendo
Mobile (cell) phones, chargers and batteries
Pagers and answering machines
Batteries, dry-cell and rechargeable
Stereos, Television, entertainment equipment
Regular telephones corded or wireless

WHAT WE DO NOT ACCEPT:

Large appliances such as fridges, ranges and freezers
Air Conditioners, Water Coolers or portable fridges
Small appliances' such as roasters, toasters or broilers