

BYLAW NO. 2023-11

The Waste Management Bylaw

A BYLAW OF THE TOWN OF LEMBERG TO PROVIDE A WASTE MANAGEMENT PROGRAM FOR THE PROPER COLLECTION AND DISPOSAL OF WASTE MATERIAL IN THE TOWN OF LEMBERG AND FOR PROVIDING ACCESS TO WASTE TRANSFER STATION

COUNCIL of the *Town* of *Lemberg*, in the Province of Saskatchewan, enacts as follows:

SHORT TITLE

1. This Bylaw may be cited as the Town of Lemberg Waste Management Bylaw.

PURPOSE

2. 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 the collection, handling and disposal of waste and recycling accumulated within the Town of Lemberg and to levy service fees. The Lemberg Transfer Station will follow its Permit to Operate to *The Environmental Management and Protection Act, 2010* and *The Municipal Refuse Management Regulations* as provided by the Government of Saskatchewan.

DEFINITIONS

3. Wherever in this Bylaw the following words or terms are used, they shall, unless the context provides otherwise, be held to have the following meaning:
 - a) **"Administrator"** means the Town Administrator of the Town;
 - b) **"Consumer"** means an individual(s) or corporation to whom waste management services are provided;
 - c) **"Council"** means Council of the Town of Lemberg
 - d) **"Curbside waste bin"** means a bin specifically intended to hold refuse other than that listed in Appendix D, E and F, as amended from time to time by resolution of Council;
 - e) **"Curbside recycle waste bin"** means a bin specifically intended to hold refuse listed in Appendix F as amended from time to time by resolution of Council;
 - f) **"Designated officer"** means an individual appointed by Town Council to enforce and administer this bylaw;
 - g) **"Household waste"** means waste originating from domestic activities at a residence, and includes:
 - 1) waste, that is capable of decomposing with sufficient rapidity so not to cause a nuisance from odors or gases, or that is likely to attract birds, insects, snakes, rodents or other animals, or that may otherwise be in a health risk produced as a by-product of the handling, preparation, cooking, consumption or storage of food;
 - 2) materials including packaging, clothing, containers, paper products, small appliances, household items, diapers;
 - 3) non-hazardous remains, by-products, or discarded materials; and

- 4) yard waste including grass clippings, leaves, branches, trees, garden matter, soil, sod or dirt.
- h) **"Multi-unit residence"** means a building designed for or occupied by three or more residences.
 - i) **"Litter"** shall mean any and all miscellaneous waste which when discarded, dropped, placed, blown or carried onto any sidewalk, street, boulevard, lane, park, public place or private premises contributes to untidiness and detracts from town cleanliness;
 - j) **"Owner"** means the registered owner or assessed owner or agent acting on behalf of the owner.
 - k) **"Occupant"** means any person abiding in or conducting a business in any premises, dwelling or building
 - l) **"Property"** shall mean a parcel of land located within the boundaries of the Town of Lemberg on which a building or buildings (commercial or residential) may or may not be situated, whether such buildings are occupied or unoccupied;
 - m) **"Public Works Foreman"** means the Public Works Foreman of the Town;
 - n) **"Refuse"** means remains, by-products and discarded materials resulting from domestic, commercial, industrial or agricultural activities and include garbage, rubbish, street cleanings and yard clippings but does not include liquid domestic sewage, as defined in *The Municipal Refuse Management Regulations*.
 - o) **"Residential"** means a building occupied or used as a place of living by not more than two families.
 - p) **"Site"** means a specific area of the transfer station designated for the collection of specific refuse materials as determined by the Council.
 - q) **"Town"** means Town of Lemberg;
 - r) **"Transfer Station"** means a site at which approved refuse is disposed of and located at the old Waste Disposal Ground.
 - s) **"Utility bill"** shall mean an invoice issued monthly that indicates the fees and charges associated with water consumption, sewer, infrastructure fee and waste removal and recycling services.
 - t) **"Waste"** shall mean food scraps, packaging and general household waste that is not considered hazardous to the environment.
 - u) **"Waste disposal ground"** means a site where approved refuse is disposed of.

UTILITY

4. There is hereby established a solid waste utility to provide for the storage, collection, transportation and disposal, except where otherwise provided, of solid waste originating within the Town.
- a) Notwithstanding anything contained in this bylaw, the Town shall not be required to collect and dispose of solid waste originating outside of the Town or non-landfillable solid waste.
 - b) The solid waste utility established by Section 4 hereof shall be managed, operated and referred to as the solid waste utility.
 - c) The Town may contract with any person to supply part or all of the goods or services necessary for the provision of the solid waste utility.

- d) The Town or contractor shall collect refuse as per Appendix A (as amended from time to time by resolution of Council), from each residential dwelling unit in a residential dwelling location, all residential landfillable solid waste that is properly prepared for collection pursuant to this Bylaw.
- e) The Town may collect refuse as per Appendix B (as amended from time to time by resolution of Council), from any commercial unit in a commercial location, all commercial landfillable solid waste that is properly prepared for collection pursuant to this Bylaw.

PROVISIONS FOR THE DISPOSAL OF WASTE

5. Subject to the provisions and conditions set forth in this bylaw, the Town shall be responsible for the public collection and removal of solid waste within the limits of the Town.
6. The collection and removal of solid waste within the limits of the Town of Lemberg shall be done by a person in the employ of the Council or the Town Maintenance Foreman or designate. Council may provide for the collection, removal and disposal of solid wastes within the limits of the Town by contract with any person on any terms and conditions that the Council considers expedient, and except as hereinafter mentioned, no householder or other party shall remove or dispose of any refuse or garbage except at their own expense.
7. The Town Administrator, as directed by Council, shall provide specifications and supervision for the operation of facilities and equipment necessary or desirable for the disposal of waste collected or disposed of within the Town.
8. The Town Administrator, as directed by Council, shall decide as to the quantities and defined classes of wastes to be removed or collected from any premises or accepted by the Town for disposal.
9. Subject to the provisions of this Bylaw, the decision of the Town Administrator, as directed by Council, as to the amount and type of waste that is accepted from any premises shall be final.
10. Employees of the Town of Lemberg shall have the right to enter onto a property other than a dwelling for the purpose of performing the duties assigned to them.
11. No person other than a lawful user thereof, an authorized employee, or an appointed contractor shall open any waste receptacle or container or remove waste put out for collection.
12. No person shall place items as provided for in Appendix D (as amended from time to time by resolution of Council) into a container or receptacle for waste collection. Containers and receptacles containing the items mentioned above will not be collected. The municipality reserves the right to refuse to collect for removal any of the items as provided for in Appendix D.

13. No person shall litter as defined in this Bylaw and Section 50 of *The Environmental Management and Protection Act, 2010*. Waste disposed outside the designated collection and disposal system shall be considered littering and the offending party subject to all fines and penalties relative to *The Environmental Management and Protection Act, 2010* or other similar legislation, policy or procedure.
14. Subject to Section 17, every owner or occupant, as the case may be, of residential property shall:
 - a) place all Household Waste originating from that property into the appropriate curbside garbage bin provided;
 - b) place all Household recycling as noted in Appendix F (as amended from time to time by resolution of Council) originating from that property into the appropriate curbside recycling bin provided;
15. No owner or occupant of residential or commercial property shall allow any individual curbside bin together with its contents exceed 20.7 kilograms (45 pounds).
16. If the owner or occupant, after receiving two notices from the Town to provide proper waste and refuse receptacles, neglects to do so, Council may order the Town staff, scavenger, or person who has been contracted with the Council, to cease gathering refuse until this bylaw is complied with.
17. Each owner or occupant shall be responsible for ensuring the curbside waste and recycling bins are placed as per directions in Appendix H (as amended from time to time by resolution of Council). Failure to do so will result in the bin not being pick up.
18. Removal of brush, bulk refuse, garden/lawn clippings, appliances and furniture and all other non-household waste shall be the responsibility of the landowner or occupant and if taken to the transfer station for disposal, shall be deposited at designated area for such refuse upon payment of fee stipulated in Appendix C, as amended from time to time by resolution of Council.
19. Collection services will be provided subject to modifications for holidays as provided for in Appendix A (as amended from time to time by resolution of Council).
20. The municipality reserves the right to return to the original owner any waste that is later determined to be hazardous or inappropriate for handling by the municipality or to recover costs from the owner for its proper disposal.
21. All domestic waste, refuse, trees, bulk refuse, metal, appliances and furniture shall be deposited in the designated areas of the transfer station, as instructed by Council, Administrator, Public Works Foreman, or Town employee.

22. No person shall place, dump or dispose of any domestic waste, refuse, metal, appliances or furniture, bulk refuse or waste of any kind or description in, near or over the gate or fence at the transfer station or on any public highway. No person shall deposit refuse on a premise not owned or occupied by that person unless authorized in writing to do so by the owner or occupier of that premise.
23. No person shall remove, disturb, or take away any material, object or thing from the transfer station without written permission from the Administrator. The Town shall own and have sole right to dispose of all refuse collected and delivered to the transfer station.
24. The transfer station, when open to the public shall be supervised at all times by an individual employed or contracted by the Town.
25. Absolutely no burning is allowed at the transfer station unless authorized to do so by the Public Works Foreman or his/her representative and a permit is received from Saskatchewan Ministry of Environment and Resource Management. No person shall burn refuse within the Town.
26. No person shall deface, destroy, or alter any signs, gates or fencing at the transfer station.
27. No unauthorized person shall discharge any firearms, air-guns, B.B. guns or explosives within the transfer station site.
28. Council may, from time to time, by resolution, designate and approve Municipal Haulers and Commercial Haulers.
29. Keys will not be given out to private or commercial haulers. If there is a need for commercial haulers to enter the transfer station outside of regular hours it should be arranged through the Administrator or Public Works Foreman. The Town may charge a fee in excess of the "Load Charge" outlined in Appendix C (as amended from time to time by resolution of Council) when Town employees provide access to the transfer station outside of regular hours. The Administrator or Public Works Foreman is allowed to charge a fee to provide access to the waste management site outside of regular hours.
30. Town Council may at their discretion, advertise or proclaim special spring or fall clean-up programs clearly outlining the nature and types of refuse that will be collected.

ACCUMULATION OF WASTE PROHIBITED

31. No person who is the owner or occupant of any land or building shall allow waste of any kind to accumulate upon any land or about any building, except as permitted in this Bylaw.

DEPOSITING WASTE ON PRIVATE PROPERTY

32. No person shall dispose of waste anywhere in the Town other than in a waste container or at an approved waste disposal ground site, at their expense.

33. No person shall dispose of special items anywhere in the Town. These items must be disposed of at the transfer station at the expense of the person disposing of these items as per provided for in Appendix D (as amended from time to time by resolution of Council).
34. A person who has disposed of waste on any land contrary to the provisions of this bylaw, shall remove the said waste upon being required to do so by the owner or occupant of the land or by the Town Administrator, the Medical Health Officer, Public Health Inspector, or a Police Officer, but such removal shall not prevent him from being prosecuted for a contravention of this bylaw.
35. If the person who has placed waste on land contrary to the provisions of this bylaw cannot be ascertained, the owner or occupants of the land shall remove the waste or cause the waste to be removed from the land upon being directed to do so by the Town Administrator, the Medical Health Officer, Public Health Inspector, or a Police Officer.

CURBSIDE WASTE AND RECYCLING COLLECTION

36. The Town of Lemberg shall provide residential waste and recycling collection services to all residential customers as provided for in Appendix A (as amended from time to time by resolution of Council).
37. The Town of Lemberg may provide commercial residual waste and recycling collection services to commercial customers as provided for in Appendix A (as amended from time to time by resolution of Council).
38. No person shall damage or deface any waste or recycling curbside bin designated for curbside collection; place waste and/or recyclables beside or on top of a bin; place waste in a recycling bin or any recyclable waste material in a waste bin; deposit or place any flaming or smouldering material or otherwise cause any fire in a curbside waste bin or curbside recyclable waste bin.
39. The occupant shall deposit household waste that cannot be recycled, for collection in the curbside waste bin.
40. The occupant shall keep the container on their own property until after 6:00 PM the day preceding a collection day.
41. The occupant shall, before 7:00 AM on collection days, place the container at the curb or front street edge adjoining the property as depicted in Appendix G (as amended from time to time by resolution of Council).
42. The occupant shall as soon as possible and, prior to 6:00 PM of the day of collection, remove the bin and any uncollected waste from the curb or front street edge adjoining the property and store them on their own property.

RECYCLABLE COLLECTION

43. Residents are encouraged to remove all recyclables covered by the municipality's recycling program from their waste stream and deposit them in their curbside recycle bin.

44. The occupant shall deposit only recyclable material, subject to lists as provided for in Appendix F as amended from time to time by service provider.
45. The occupant shall flatten all cardboard boxes and cleanly rinse all plastic or tin containers before placing into recyclable bins.
46. The service provider has a right to refuse pick up of any curbside waste bin or curbside recycle bin if there is unauthorized items located in it.

HEALTH AND FIRE BYLAWS NOT SUPERCEDED

47. Nothing in this Bylaw shall be deemed to nullify, amend, supersede or repeal any provisions of any Bylaw or regulation relating to fires or to public health, but in the event of any conflict between such bylaws and this Bylaw, the provisions of this Bylaw shall be modified only to the extent necessary to give effect to the fire or health requirements as the case may be.

BURNING OF WASTE MATERIAL

48. In accordance with the Town of Lemberg and Lemberg Fire Department policies and bylaws, the burning of any household waste material within the municipality is strictly prohibited.
49. Only the burning of seasoned wood products in an outdoor fire pit, subject to the provisions outlined in the Town of Lemberg and Lemberg Fire Department policies and bylaws, shall be permitted within the municipality. Burning barrels are not permitted.
50. No person shall set, feed or maintain, or cause to be set, fed or maintained, within the limits of the Town of Lemberg, an open fire for the disposal of any materials.

TRANSFER STATION SITE

51. The transfer station is the only authorized place for the deposit and disposal of any filth or refuse created in the Town, and not collected by the Town, and anyone found guilty of dumping elsewhere, anything directly or indirectly noxious, offensive or dangerous to health will be punished. Disposal at the transfer station is at the expense of anyone making a disposal at the transfer station and is applicable to the rates and fees as set by the Town of Lemberg.
52. Deposits to the transfer station may be made by Town residents only resulting from refuse generated or originating from land located within the Town.
53. No person shall remove, disturb, or take away any material, object or thing from the transfer station without written permission from the Administrator or Public Works Foreman. The Town shall own and have the sole right to dispose of all refuse collected and delivered to the transfer station site.

RATES

54. The Town shall collect fees for the collection and disposal of solid waste and recyclable services provided by the Town for both residential dwellings and commercial businesses. These rates will be set out in Appendix B to this Bylaw and may be amended by resolution from time to time as deemed necessary.

55. These rates shall be applicable to waste that is properly prepared for collection and disposed of pursuant to the regulations of this Bylaw.

56. All persons using the transfer station site shall pay the rates applicable to the service to the Town at the rates set by the Town Council.

OFFENCES

57. Every person commits an offence who:

- (i) allows waste of any kind to accumulate on or in any land or building other than as permitted in this Bylaw;
- (ii) places or disposes of waste other than as permitted in this Bylaw;
- (iii) 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;
- (iv) being the owner or operator of a vehicle used in 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 such vehicle, or fails to remove such earth or waste from the street or sidewalk;
- (v) being a person other than the owner, operator or occupant of a business or residence to which disturbs or disrupts the contents of a waste container;
- (vi) being a person other than the owner, operator or occupant of a business or residence to which removes any waste, object or material from a waste container or collection vehicle;
- (vii) leaves a waste container on a public right-of-way outside the timelines provided for within this bylaw;
- (viii) being a person other than a person permitted by the owner of the recycling container or the Administrator removes recyclable material from a recycling container or disturbs or disrupts the contents of a recycling container; or
- (ix) places waste in a recycling container.

58. No person shall:

- (i) fail to comply with an order made under this bylaw;
- (ii) obstruct or hinder a designated officer acting under this bylaw;
- (iii) fail to comply with any other provision of this bylaw.

ORDER TO REMEDY

59. 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*.

60. If a contravention is found, notice will be served, in accordance with The Municipalities Act Section 390, to 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 Sections 63 and 64. The notice shall require the person to pay to the Town of Lemberg, the penalty specified in Bylaw 4/86.

61. 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.

62. 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.

APPEAL OF ORDER TO REMEDY

63. 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.

PENALTY

64. Any person who contravened a provision of Bylaw 2020-15 is guilty of an offense and liable on summary conviction to a penalty;

- a) First offence - \$100.00;
- b) Second offence - \$200.00;
- c) Third or subsequent offence of not less than \$500.00 and not more than \$10,000.00 in the case of an individual or \$25,000.00 in the case of a corporation.

65. The penalty may be paid:

- a) in person during regular office hours at the Town of Lemberg, 332 Main Street;
- b) by mail addressed to the Town of Lemberg, Box 399 Lemberg, SK S0A 2B0;
or
- c) online through the Credit Union.

COMPLIANCE WITH OTHER LAWS

66. 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.

REPEAL

67. Bylaw 2023-07 is hereby repealed.

COMING INTO FORCE

68. This Bylaw shall come into force and take effect upon final reading.

Mayor

Administrator

First Reading: October 17, 2023
Second Reading: October 17, 2023
Third and Final Reading: October 17, 2023

Certified a True Copy of Bylaw 2023-11
adopted by Resolution of the Council
of the Town of Lemberg, in the
Province of Saskatchewan on
the 17th day of October 2023.

seal

Administrator

Appendix "A" to Bylaw 2023-11

CURBSIDE WASTE AND RECYCLING WASTE PICKUP

- Effective Friday, October 2, 2020, curbside waste pick up will start. The following Friday, curbside recycling waste will be picked up. This schedule will repeat every Friday.

HOURS OF SUPERVISED OPERATION AT TRANSFER STATION

OCTOBER 1 – APRIL 30

- By appointment during regular office hours. After hour call-outs are subject to additional charges as listed in Appendix C.

MAY 1 – SEPTEMBER 30

- By appointment during regular office hours.
- Third Saturday of each month: 9:00 am to 12:00 noon

Appendix "B" to Bylaw 2023-11

SCHEDULE OF MONTHLY WASTE MANGEMENT AND RECYCLE FEE

1. A monthly fee as follows shall be charged to the owner or occupant of ALL designated properties within the Town of Lemberg that have established water and sewer services connected. Each owner or occupant shall be supplied with 1 curbside waste bin and 1 curbside recycling waste bin.
2. The monthly fee for waste collection will not be charged when water is requested to be turned off due to residents being away on extended leave longer than 60 days. Notification of the discontinuance must be provided in writing to the Administrator.

Monthly Rate

Residential

Monthly Waste Management and Recycling Pickup Fee:
includes 1 curbside waste bin and 1 curbside recycling waste bin included
- \$25.00/residence

Commercial where separate Loraas contract does not exist

Monthly Waste Management and Recycling Pickup Fee:
1 curbside waste bin and 1 curbside recycling waste bin included
- \$25.00/business

Multi-Unit Residence

Monthly Waste Management and Recycling Pickup Fee:
includes 1 curbside waste bin and 1 curbside recycling waste bin included
- \$25.00/waste and recycle bin

Additional curbside waste bin or curbside recycling waste bin

- \$12.50/month/bin

Appendix "C" to Bylaw 2023-11

SCHEDULE OF LOAD FEES

Garbage Bag	\$2.00/each bag thereafter
Trailer - level load	\$10.00/load
½ or 1 ton truck – level load	\$25.00/load
3 ton truck – level load	\$100.00/load
Furniture	\$20.00/each
- mattresses, couches, chairs, tables, etc.	
Appliances	\$20.00/each
- must be free of freon and doors removed	
Construction/demo waste (excluding shingles)	
- level load/1 ton	\$50.00/load
- dump trailer	\$200.00/load
- 3 ton	\$300.00/load
After Hours Transfer station Access	\$90/occurrence

Appendix 'D' to Bylaw 2023-11

ITEMS NOT ACCEPTED IN CURBSIDE RESIDUAL WASTE CONTAINERS

- automobiles and automobile parts
- pesticides and other hazardous wastes or any material or thing treated with any of those substances, including the receptacles containing them
- petroleum, petroleum remains or by-products
- refuse that is the remains or by-product of slaughter house operations (dead animals or parts of dead animals)
- liquid domestic sewage
- batteries
- building materials
- asbestos material
- fences
- gates or similar fixtures
- dead animals or parts of dead animals
- concrete
- grease
- yard waste
- liquid waste
- hazardous waste or substances
- flammable substances
- large furniture
- major appliances
- oil
- propane tanks
- paint
- sod
- soil
- dirt
- tires
- any item over one (1.0) metre in length in a container or receptacle
- any receptacle that does not have compost material separated from household waste
- any receptacle or waste item that is considered oversized or overweight
- branches and trees
- electronics

Appendix "E" to Bylaw 2023-11

ITEMS NOT ACCEPTED AT TRANSFER STATION

- automobiles and automobile parts
- pesticides and other hazardous wastes or any material or thing treated with any of those substances, including the receptacles containing them
- petroleum, petroleum remains or by-products
- refuse that is the remains or by-product of slaughter house operations (dead animals or parts of dead animals)
- liquid domestic sewage
- batteries
- grease
- liquid waste
- hazardous waste or substances
- asbestos material
- flammable substances
- oil
- propane tanks
- paint
- tires
- electronics
- liquid domestic wastes shall not be deposited in the waste management site.



SINGLE STREAM CURBSIDE RECYCLING



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



Shredded Paper in clear bags



Plastic Containers, Plastic Milk Jugs, Milk and Juice Cartons
 (No "Clam Shell" Type Food Containers labelled #1) (No oil containers or chemical jugs)



Remove all lids and caps



Tin, Aluminum and Glass Rinse all items – labels can remain on



ITEMS NOT ACCEPTED

 Clamshell Containers	 Lightbulbs	 Plastic Bags and Stretch Wrap	 Wood and Metal Scrap	 Diapers
 Styrofoam and Plastic Utensils	 Hoses and Rubber Items	 Toys and Clothing	 Food and Garbage	

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Appendix "G" to Bylaw 2023-11

Ideal Location

#1



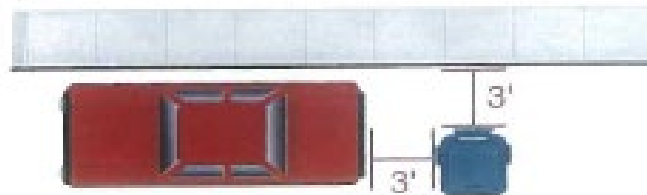
Snow Bank

#2



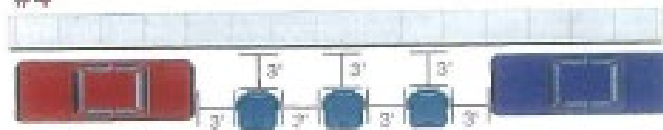
Close to a Parked Car

#3



Between Two Parked Cars

#4



Park it

- Park the cart for pickup by 7:00 a.m. on day of collection.
- When there is a snow bank built up along the curb, make sure the container is out further than the snow as illustrated in drawing #2.

Point it

- Point lid arrows towards the street.
- Close lid.

Space it

- Ensure cart is 1 metre (3 feet) clear of all obstacles and not blocking traffic as illustrated in drawings #3 and #4.

Appendix "H" to Bylaw 2023-11

NOTICE OF VIOLATION

Ticket No. _____

Issued by: _____ Date: _____

Name of Accused: _____

Address of Accused: _____

Make of Vehicle: _____ Plate No: _____

Model of Vehicle: _____ Province: _____

Location of Violation _____

Description of Violation _____

Voluntary Payment Amount _____

Deadline for Voluntary Payment _____

You are charged with a violation of the Town of Lemberg's Waste Management Bylaw.

A voluntary payment may be paid at the Town Office.

If payment is received on or before the deadline for voluntary payment (noted above), you will not be prosecuted for this violation.

Avoid prosecution by paying promptly. Unless payment is received by the Town of Lemberg in accordance with the instructions contained herein, a Criminal Code (Canada) Summons will be issued commanding you to appear in Court with respect to this matter.