

Riverdale Municipality BY-LAW 2017-07

A BY-LAW RESPECTING COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE AND REFUSE, AND RECYCLING AND FOR THE ABATEMENT OF CERTAIN NUISANCES

WHEREAS Sections 336 and 338 of *The Municipal Act* provide authority for a Municipality to pass by-laws for establishing, regulating and maintaining a garbage collection system;

NOW THEREFORE BE IT ENACTED by a by-law of Riverdale Municipality

1. Garbage/Recycling Collection

- a) Riverdale Municipality will utilize a service contract for the removal and disposal of household garbage and recyclables from private dwellings apartment blocks, and light commercial properties within the residential zones (churches, hair salons) Service Contracts will be negotiated for a 5 year term subject to review and amendment each year, by the Council of Riverdale Municipality and the service contractor.
- b) The cost of service contract shall be recovered by implementing a rate based on the costs required to substantiate the expenditure. The rate will be set by Special Service Bylaw or mill rate, at the discretion of Council.
- c) Employees of the Public Works Dept or their contractors shall not be required to enter buildings for the sake of removing garbage, but shall have the right to enter on the lots in connection with any building, when deemed necessary to carry out the provisions of this By-Law.
- d) Industrial wastes shall be removed and disposed of by the owner or occupier of a premise at his own expense, or as may be directed by the Municipal Foreman or his representative.
- e) All household garbage will be collected bi-weekly from the residential and apartment block areas.
- f) All household recycling will be collected bi-weekly from the residential and apartment block areas.
- g) All garbage/recycling bins to be tipped directly into the garbage vehicle and not be emptied on the ground and shoveled.
- h) Collection points shall be from the front street in front of each residence.

2. Garbage/Recycling Storage

- a) Every owner, agent, tenant, lessee or occupant of every house, dwelling or place of business, shall keep their household garbage and recyclables stored in a secure enclosure or supplied garbage and recycle bins, or state, ensuring it is protected from weather, rodents, birds, wildlife and pets.
- b) Garbage/recycling bins must be contained on the property between regular garbage and recycle collections, and any bins shall be maintained by the occupier in a state of good repair, and the lid kept in place at all times.

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- c) All garbage shall be placed in proper garbage bags and tied before being deposited in container.
- d) All recycling must be placed loose in recycling bins.
- e) Garbage bags are to be of a quality suitable to contain and accept the handling of your garbage at and to the point of pickup.
- f) Garbage/Recycling Bins are to be placed out for collection no later than 7:00 am on collection days and no earlier than 5:00pm the night before collection. **Garbage/Recycling Bins are to be removed from the pickup location no later than 8:00pm on collection day.**

Any garbage or recycle container found on the curb outside of the allowable times as outlined in Section 2.(f) will be picked up by the municipality and fees applied to recover said bins will be applied at a rate set out in Schedule "A"

- g) At no time will the contractor make provision to go back and pick up garbage/recycling that was not put out on time.
- h) All yards or areas in connection with any dwelling or other occupied building shall be kept free from offense and in a clean and sanitary condition at all times.
- i) In the event that any owner/occupier of any property shall fail to comply with any of the foregoing provisions or conditions, Riverdale Municipality shall not be required to remove trade refuse and/or garbage and refuse from the premises and the removal thereof shall be the sole responsibility of the owner.

3. Littering

- a) No person owning or occupying private property shall allow dirt, manure, paper, filth, rubbish or other refuse to accumulate on that property.
- b) No person shall deposit dirt, manure, paper, filth, rubbish or other refuse on any private or public property, including a highway.
- c) Riverdale Municipality may compel:
 - I. The owner of or a person occupying private property on which there has been an accumulation of anything mentioned in clause a) of this section or
 - II. The person who placed or deposited or is responsible for placing or depositing of anything mentioned in paragraph b) of this section on private or public property,
 To remove it and at his own expense to place or deposit it in a disposal area either in or outside the Town, designated by the Council.
- d) If a person referred to in paragraph c) of this section fails or refuses to comply with the municipality's' guidelines for removal of uncollected garbage, the municipality may remove the refuse and deposit it in the disposal area.
- e) When the municipality removes refuse under paragraph d) of this section, it may charge the costs of said removal to the person who owns or occupies the residence at a rate set out in Schedule "A".

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- f) The municipality may treat this cost of removal as a debt due and owing and recoverable through a Court of competent jurisdiction or may add the cost of removal to the amount of taxes against any land in Riverdale Municipality owned by the person responsible for its removal.
- g) Whenever litter is thrown, deposited, dropped, blown or dumped from any vehicle it shall be prima facie evidence that the operator of said vehicle shall have violated this by-law.
- h) Persons owning or occupying property shall keep the sidewalk and boulevard in front of and flanking and the lane at the rear of the property free of litter.
- i) Persons owning or occupying places of business shall keep the sidewalk and boulevard in front of and flanking and the lane at the rear of that business free of litter.
- j) No person shall convey or cause to be conveyed on any street any garbage, swill or any liquid of waste of an offensive nature in a vehicle that is not properly constructed and covered so as to prevent the contents thereof from escaping.
- k) No person shall allow any such vehicle to stand in any street, lane, commercial or residential property for more than thirty (30) minutes except in the case of an emergency, but in such a case the vehicle shall not stand longer than is absolutely necessary.

4. Abatement of Nuisances

- a) No person shall accumulate or permit to be accumulated upon his premises or deposit or accumulate on the premises of any person anything which would or may become offensive or injurious to health or in any way allow such deposit or accumulation to remain, or neglect or refuse to move any such accumulation when ordered to do so by the Health Officer or Council of Riverdale Municipality.
- b) No person by himself or other person shall deposit any dead animal, offal, fish manure, garbage, fruit, vegetables, excreta, filth or anything of the nature which is or may become prejudicial to health upon or into any street, lot, ditch, pond, stream, river, well or sewer or onto any lane or premises, any such deposit shall be deemed a nuisance. Provided however that the provisions of this section shall not apply to proper sanitary disposal of any such material into the waste disposal grounds with the consent of the Health Officer.
- c) The Council of Riverdale Municipality or the Health Officer may, by written notice require the removal of any accumulation of dirt, stones, old implements, scrap iron, or any other scrap metals, or other rubbish from streets or other public or private property by the person depositing same or permitting same to remain on the property owned or occupied by him, and failing such removal within the time stipulated in the notice, the owner or occupier is guilty of an offence and is subject to the penalty provided in Section 6 of this By-Law.

5. Use of Disposal Grounds

- a) Every driver or other person delivering waste to the waste disposal grounds shall deposit his load in such a place and in such a manner as he may be instructed by the landfill attendant or other employee of Riverdale Municipality in accordance with signs posted at the site.

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- b) No person, firm, company or corporation shall remove any waste, garbage, wood, metal or any other thing from Riverdale Municipality metals compound unless authorized by Council.
- c) No driver or person shall deliver waste to or deposit waste in the waste disposal grounds, except a resident of Riverdale Municipality or other person licensed by Riverdale Municipality to deposit waste on the site.
- d) No driver or person shall deliver waste or deposit waste in the waste disposal grounds except during hours specified and posted at the site, unless otherwise authorized as a licensed contractor by Riverdale Municipality and subject to Riverdale Municipality Tipping fees bylaw No. 10-2011 and amending by-law 2012-06.

6. Penalties

- a) Any person who violates, contravenes or fails to observe and carry out any provision of this by-law shall, upon conviction thereof before a Magistrate or Provincial Court Judge, be liable to a fine of not more than \$1,000 and costs or to imprisonment for a term not exceeding one (1) month, or to both such a fine and imprisonment.

7. That Town of Rivers By-law 07-2014 be repealed.

DONE AND PASSED by the Council of Riverdale Municipality, in meeting duly assembled, at Rivers, in Manitoba, this 18th day of July A.D. 2017.

Original signed by T. Gill

Mayor – Todd Gill

Original signed by K. Bridgeman

Chief Administrative Officer

Read a first time this	<u>20</u>	day of	<u>June</u>	A.D.	<u>2017</u>
Read a second time this	<u>20</u>	day of	<u>June</u>	A.D.	<u>2017</u>
Read a third time this	<u>18</u>	day of	<u>July</u>	A.D.	<u>2017</u>

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SCHEDULE "A"

All listed instances will be charged at the following rate:

Minimum Charge: \$25.00

Hourly Rate: \$50.00

1. Pickup and disposal of Improperly bagged garbage
Ref. Section 2. (c)
2. Pickup and disposal of bagged garbage not left out in time for collection
Ref. Section 2. (d)
3. Pickup and disposal of garbage left out after 5 pm on the day following regularly schedule collection
Ref. Section 2. (e)
4. Pickup and disposal of litter and/or accumulated rubbish deemed to be responsibility of owner/occupier of property
Ref. Section 3
5. Bins recovered by the municipality due to neglect or incorrect storage will be kept until such time as the owner picks up the bin at the municipal shed. A fee of \$25.00 per occurrence will be applied. Fees to be paid at the time of pickup or collected in a like manner on taxes. Collection will not take place at the residence until such time as a bin has been recovered and is being utilized.