



A BYLAW OF THE RURAL MUNICIPALITY OF MCKILLOP NO. 220 IN THE PROVINCE OF SASKATHCEWAN TO REGULATE THE COLLECTION OF HOUSEHOLD GARBAGE AND REFUSE AND THE DISPOSAL OF SOLID WASTE

WHEREAS pursuant to Section 23 of *The Municipalities Act*, a Council of a Rural Municipality is authorized to provide waste management services for the benefit, convenience and use of the property owners and residents in the Rural Municipality; and

WHEREAS costs are incurred by the Rural Municipality for the provision of waste management services; and

WHEREAS the provision of waste management services should be made available to every property owner and resident in the Rural Municipality; and

WHEREAS it is advisable to provide waste management services on a full cost-recovery basis to those accessing this service;

NOW THEREFORE the Council of the Rural Municipality of McKillop No. 220 in the Province of Saskatchewan enacts as follows:

1. Title

1.1. This bylaw shall be referred to as the *Household Garbage and Refuse Bylaw*.

2. Definitions

2.1. In this bylaw:

- (a) **"Garbage"** means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food;
- (b) **"Householder"** means the occupant, lessee or tenant or the person otherwise in charge of any dwelling or other premises;
- (c) **"Putrescible"** means capable of becoming putrid;
- (d) **"Refuse"** means all putrescible and non-putrescible wastes (except human excrement), including garbage, rubbish, street cleanings, and market and industrial wastes but does not include liquid waste, dead animals, and yard clippings (grass and trees);
- (e) **"RM"** means the Rural Municipality of McKillop No. 220;



- (f) **“Road allowance”** means a road allowance laid out pursuant to the authority of an Act or an Act of the Parliament of Canada and established as part of the original quadrilateral township system of survey;
- (g) **“Roadway”** means that part of a public highway designed or intended for use by vehicles and includes the roadbed structure involving any side slope or ditch bottom but does not include a designated trail within the meaning of *The Snowmobile Act* or any other trail or path for which a permit is required;
- (h) **“Rubbish”** means non-putrescible wastes consisting of both combustible and non-combustible wastes, such as paper, cardboard, abandoned automobiles, tin cans, wood, glass, bedding, crockery, and comparable materials;
- (i) **“Solid wastes”** means refuse and other discarded solid materials, including waste materials resulting from domestic, industrial, commercial or agricultural activities and yard clippings (grass and trees); and
- (j) **“Street”** or **“Road”** includes all or any part of a culvert or drain or a public highway, road, lane, bridge, place, alley, square, thoroughfare or way intended for or used by the general public for the passage of vehicles or pedestrians.

3. Garbage and Refuse Collection in Lakeshore Development areas, Recreational Resort areas, and Hamlet District areas

- 3.1. All household garbage and refuse generated within the boundaries of all Organized Hamlets and unorganized Hamlets within the RM shall be disposed of in the garbage collection bins and/or recycling bins located at various sites within the boundaries of the RM.
- 3.2. All garbage collection bins and/or recycling bins located within the RM boundaries shall be for the use of any ratepayer within the boundaries of the RM.
- 3.3. No garbage collection bin or recycling collection bin shall be located within the road allowance, on a roadway, or on a street or road in any location within the boundaries of the RM.
- 3.4. No garbage collection bin or recycling collection bin located on public property within the boundaries of the RM shall be locked or have any other means of restricting access to the garbage collection bin.
- 3.5. All solid wastes generated within the boundaries of all Organized Hamlets and unorganized Hamlets within the RM shall be disposed of at the Last Mountain Regional Landfill waste collection site located on SW 25-23-23-W2nd.



- 3.6. All loose papers, paper boxes, cardboard, tin cans, and plastic containers shall be disposed of in recycling bins, where available, located within the RM.
- 3.7. No person shall burn any refuse, garbage or solid waste within the boundaries of any Organized Hamlet or unorganized Hamlet located within the boundaries of the RM.

4. Garbage and Refuse Collection in Agriculture areas, Country Residential areas and Commercial areas

- 4.1. Any agricultural property owner, country residential property owner, or commercial property owner may arrange with the RM for placement of a garbage collection bin and/or recycling collection bin on that individual's or business' property.
- 4.2. It shall be the responsibility of the agricultural property owner, country residential property owner, or commercial property owner to pay all fees relating to the monthly rental of the garbage collection bin and/or recycling collection bin.
- 4.3. In the event that the agricultural property owner, country residential property owner, or commercial property owner chooses to allow other individuals or businesses to place garbage into the garbage collection bin and/or recycling collection bin located on that individual's or business' property, it shall be the responsibility of the agricultural property owner, country residential property owner, or commercial property owner who has made the arrangement with the RM to collect any fees from the other individuals or businesses using the garbage collection bin and/or recycling collection bin.
- 4.4. All garbage collection bins and/or recycling collection bins located within the boundaries of the RM shall be rented through the RM. No garbage collection bins and/or recycling collection bins shall be placed on agricultural property, country residential property, or commercial property that have been privately arranged by the property owner.

5. Garbage and Refuse Collection Fees

- 5.1. Every legally surveyed lot with an assessable improvement within the boundaries of any Organized Hamlet or unorganized Hamlet located within the boundaries of the RM shall be subject to an annual levy for garbage and refuse collection services and an annual capital fee as set out in Schedule "A" attached.



- 5.2. This levy prescribed in Section 5.1 shall be invoiced as a component of the annual property tax notice generated for each legally surveyed lot.
- 5.3. In the event two (2) or more legally surveyed lots are legally parcel tied by way of registration with Information Services Corporation of Saskatchewan, those lots shall be considered as one (1) lot for purposes of the annual levy.
- 5.4. Any agricultural property owner, country residential property owner, or commercial property owner who arranges for a garbage collection bin and/or a recycling collection bin as defined in Section 4.1 shall be invoiced for the collection fees as invoiced by the garbage collection service provider monthly. In addition to the collection fees invoiced by the garbage collection service provider, an administration fee and an annual capital fee shall be charged by the RM as set out in Schedule "A" attached.
- 5.5. Schedule "A" shall be reviewed and adjusted annually as part of the annual budget preparation process.

6. Penalties

- 6.1. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction:
 - (a) For a first offence to a fine of not less than \$ 300.00 and not more than \$5,000.00;
 - (b) For a second offence or subsequent offence to a fine not less than \$ 500.00 and not more than \$5,000.00.

7. Notice of Violation

- 7.1. Notwithstanding Section 7.3, a Peace Officer may issue a Notice of Violation to any person committing a first or second offence under this Bylaw.
- 7.2. The Notice of Violation shall require the person to pay to the RM:
 - (a) In a case of a first offence, to a fine of \$300.00; and
 - (b) For a second offence, to a fine of \$ 500.00.
- 7.3. The amount specified in Section 7.4 may be paid by cash or bank draft:
 - (a) In person, during regular office hours, to the RM at the RM Administration Office; or
 - (b) By postal mail addressed to RM.



7.4. If payment of the fine as provided in Section 7.3 is made prior to fifteen (15) days from the date indicated on the Notice of Violation, the person shall not be liable to prosecution for that offence.

7.5. For the purposes of Section 7.3, an offence shall be deemed to be a first offence if the offender has not been convicted of the same offence, or paid a fine under the Bylaw, within two (2) years immediately preceding the commission of the alleged offence.

8. Limitation on Prosecution

8.1. No prosecution for an offence pursuant to this Bylaw is to be commenced after two (2) years from the date on which the offence is alleged to have been committed.

8.2. If any Part, Section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.

9. Effective Date of Bylaw

9.1. This bylaw shall come into force effective November 23, 2018.

10. Repeal of Former Resolution

10.1 Resolution 298/2018, carried on August 7, 2018 is hereby repealed.

11. Repeal of Former Bylaw

11.1. Bylaw 368/2018, adopted on May 22, 2018, is hereby repealed.

Reeve

[SEAL]

Administrator



SCHEDULE "A"

TO BYLAW NO. 368/2018

GARBAGE COLLECTION LEVY:

1. Lakeshore Development areas, Recreational Resort areas, and Hamlet District areas
 - a. Rate per lot with an assessed improvement - \$ 200.00 per annum
2. Agriculture areas, Country Residential areas and Commercial areas
 - a. Rate per tip – As charged by garbage collection services provider per month

CAPITAL INFRASTRUCTURE FEE:

3. Lakeshore Development areas, Recreational Resort areas, and Hamlet District areas
 - a. Rate per lot with an assessed improvement - \$ 50.00 per annum
4. Agriculture areas, Country Residential areas and Commercial areas
 - a. Rate per garbage bin location - \$ 50.00 per annum

ADMINISTRATION FEE:

5. Lakeshore Development areas, Recreational Resort areas, and Hamlet District areas
 - a. Fee per lot with an assessed improvement - \$ 0 per annum
6. Agriculture areas, Country Residential areas and Commercial areas
 - a. Fee per garbage bin location - \$ 5.00 per month