



**BYLAW NO. 2018-982
OF THE
TOWN OF TWO HILLS**

**A BYLAW OF THE TOWN OF TWO HILLS, IN THE PROVINCE OF ALBERTA,
RESPECTING THE COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE
WITHIN THE TOWN OF TWO HILLS**

WHEREAS Town Council has determined it is expedient to establish a garbage bylaw for the Town of Two Hills;

AND WHEREAS the Municipal Government Act, R.S.A. 2000, c.M-26, as amended from time to time, provides Town Council with the authority to provide for the collection and disposal of garbage and refuse within the Town of Two Hills subject to any terms, costs or charges as may be established by Town Council;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, R.S.A. 2000 c.M-26, as amended from time to time, Town Council for the Town of Two Hills, duly assembled enacts as follows:

PART I- INTERPRETATION

Division 1 - Title

1. This Bylaw may be referred to as the "Garbage Services Bylaw".

Division 2 – Definitions

2. Definitions
 - 2.1 "Ashes" means the residue from the burning of combustible materials.
 - 2.2 "Authorized Person" means a person employed or under contract to the Town and occupying a position for the purposes of inspection and enforcement, and shall include a Bylaw Enforcement Officer.
 - 2.3 "Bylaw Enforcement Officer" means a person appointed pursuant to the Municipal Government Act.



- 2.4 "Designated Officer" means a Person appointed pursuant to the Municipal Government Act, and includes for the purpose of this Bylaw, an Authorized Person and Bylaw Enforcement Officer.
- 2.5 "Dwelling Unit" means a building intended for residential purposes.
- 2.6 "Garbage" means all waste material of any kind, except ashes, and shall include all of the following classifications of refuse.
- (a) "Building Garbage" means the waste material (earth, stones, etc.) from cellar or other excavations, waste material and debris resulting from the construction, maintenance or demolition of houses, commercial buildings or other structures including any residue if such waste material or debris is burned or partially destroyed by fire or any other cause.
 - (b) "Bulk Rubbish" means all trees, shrubs, stumps, scrap lumber, scrap metal, large boxes and crates, oil drums and similar unwieldy materials, discarded furniture and fixtures including but not limited to tables, mattresses, water heating tanks, stoves, furnaces, fences, gates and other discarded fixtures.
 - (c) "Dead Animal" means and includes the carcasses of any and all animals or part thereof.
 - (d) "Domestic Garbage" means tin cans, broken glass, crockery, bottles, food containers, dishes and utensils, rags, clothing, papers, books, magazines, packing materials, cartons, clippings from shrubs and trees, weeds, leaves, grass cuttings and garden wastes.
 - (e) "Hazardous Waste" means any and all kinds of materials that may be dangerous for collectors to handle including but not limited to explosives, detonators, ammunition, volatile inflammable materials, poisons, acids, caustics and infected materials, bedding and clothing from sick rooms.
 - (f) "Industrial Waste" means wasted, rejected materials, discarded machinery, etc., from manufacturing processes, factories or other works, wastes and condemned matter from canneries, stockyards, slaughterhouses, meat packing plants, vegetable oil plants or similar industries including shells, husks, manure, offal and other like wastes.



- (g) "Junk" means discarded machinery units including engine blocks, tires, bodies and other machine and vehicle components, metal, glass and similar substances of small marketable value.
 - (h) "Litter" means miscellaneous waste items of all sorts including but not limited to matchsticks, empty packages, cigarette butts, loose paper, bags, boxes, shavings and similar light material or any for that may be blown about or carried off by a gust of wind, gum and wrappers, paper cups, bottles, broken glass and any and all materials which when discarded, dropped, placed, blown about or carried onto any sidewalk, street, boulevard, lane, park, public place or private premises contributes to untidiness and detracts from Town cleanliness.
- 2.7 "Garbage Collection Date" means the date for collection of garbage for a particular premise, set out in an advertised schedule established by the Manager on a periodic basis.
- 2.8 "Garbage Receptacle" means
- (a) a large metal container commonly referred to as a "dumpster", or
 - (b) a wheeled plastic container commonly referred to as a "roll-out tote" equipped with a secure lid designed for the purpose of storage of garbage.
- 2.9 "Manager" means that person appointed to the position of Chief Administrative Officer for the Town of Two Hills, or his or her designate.
- 2.10 "Municipal Tag" means a notice issued by the Town pursuant to Section 7 of the *Municipal Government Act*, for the purpose of providing a person with an opportunity to acknowledge a contravention of this Bylaw, and to pay a penalty directly to the Town, in order to avoid prosecution for the contravention.
- 2.11 "Person" includes any individual, firm, partnership or corporate body.
- 2.12 "Premises" means real property and all buildings, structures and improvements thereon.
- 2.13 "Schedule" means a list of the day or days during each week on which garbage is regularly collected from the Premises within the Town.
- 2.14 "Town" means the Corporation of the Town of Two Hills, or the geographical area of the Town, as applicable.



2.15 "Violation Ticket" means a ticket issued pursuant to the *Provincial Offences Procedure Act*.

PART II – GARBAGE COLLECTION

Division 1 – Provision of Services

3. Terms of Service

- 3.1 The Town may provide Garbage collection services in accordance with a collection Schedule established by the Manager, to Premises within the Town.
- 3.2 The Town shall provide Garbage Receptacles to Dwelling Units and Premises to meet the intent of this Bylaw as set out at Schedule "A" to this Bylaw, as may be amended by resolution of Council from time to time.
- 3.3 Additional Garbage Receptacles deemed necessary by Persons owing or occupying Premises shall be provided by those same Persons.

4. Duties and Obligations

- 4.1 No Person shall dispose of ashes, garbage or refuse in the Town except in the manner provided for in this Bylaw.
- 4.2 No Person other than a Person using a Garbage Receptacle authorized for collection shall open or interfere with any Garbage Receptacle.
- 4.3 The Person of each Premises within the Town shall be responsible for the payment of those Garbage collection fees levied by the Town in accordance with this Bylaw, notwithstanding whether that Person has made alternative arrangements for the disposal of Garbage generated from the Premises.
- 4.4 The Person of every Premises, or each Dwelling Unit shall provide sufficient Garbage Receptacles to contain the Garbage generated from the Premises or individual Dwelling Units, between each Garbage Collection Date.
- 4.5 All Garbage Receptacles shall be kept in compliance with the following requirements.



- (a) As per placement by the Town for bulk metal containers or dumpsters,
 - (b) As per roll-out instructions provided with roll-out totes,
 - (c) With a lid to remain closed at all times to secure the contents.
- 4.6 Except for a period of twelve (12) hours before, and twelve (12) hours after a scheduled Garbage Collection Date, all Garbage Receptacles shall be stored in a neat and secure manner, within the boundaries of the Premises.
- 4.7 For a period of twelve (12) hours before, and twelve (12) hours after the scheduled Garbage Collection Date, Garbage Receptacles may be placed outside the boundaries of the Premises in a manner as close as reasonably possible to the property line of an alley or road and in such manner as to provide direct access to the Garbage Receptacles, without interfering with the travel of vehicles or pedestrians within the travelled portion of the alley, road, sidewalk, or other related area of public access.
- 4.8 All Garbage Receptacles to be picked up by the Town collection service shall be compatible with the Town's automated collection system.
- 4.9 The Town shall only be responsible for the collection and disposal as outlined in this Bylaw. Individual Persons shall be responsible for the proper and safe disposal of any waste not collected and disposed of by the Town.
- 4.10 Garbage collection personnel shall not be responsible for the cleanup or disposal of any Garbage spilled from a Garbage Receptacle, except where the Garbage collection personnel have caused the spill.
- 4.11 Where Garbage has spilled from a Garbage Receptacle, the Person generating the Garbage spill shall be responsible for the clean-up, removal and proper disposal of the spilt Garbage.

Division 2 – Pre-Collection & Collection of Garbage

5. Pre-Collection

- 5.1 Garbage shall be thoroughly drained of all liquid and shall be securely contained in sealed plastic garbage bags, before its disposal into a Garbage Receptacle.
- 5.2 Ashes shall be extinguished so that no fire remains, and bagged before being placed in a Garbage Receptacle for removal.



5.3 Combustible garbage shall be placed in containers carefully secured and prepared for collection as follows.

- (a) Clippings from shrubs and trees shall be compactly and securely tied in bundles not exceeding three feet (one meter) in length.
- (b) Discarded clothing and fabric, newspapers, waste paper, magazines and similar dry inoffensive garbage shall be enclosed in cardboard boxes or other containers and securely tied.
- (c) Cardboard boxes and similar crating and shipping containers shall be collapsed and securely tied into compact bundles.
- (d) Shredded packing materials, shavings and trimmings from lawns and gardens shall be securely baled and wrapped in heavy paper or packed in cardboard boxes, burlap or plastic bags and securely tied.

6. Collection

6.1 Unless otherwise stipulated in this Bylaw:

- (a) The Town shall remove all Garbage as provided for in this Bylaw once a week from all Dwelling Units and Premises within the Town.
- (b) The Town may sponsor a cleanup week to provide for the removal of all junk, garbage, rubbish, litter, waste and all other related material from the Town.
- (c) Persons requiring additional garbage collection services exceeding once a week will be required to arrange for such services on their own accord and are responsible for all charges and fees associated with the additional services.

7. Improper or Neglected Disposal

7.1 The Council of the Town may cause a notice to be served to any Person of any Premises or Dwelling Unit for the removal of any ashes, dirt, filth, or garbage and specified disposal of the same, and designate in such notice a time which shall not be less than seven (7) days in which to remove the said ashes, dirt, filth or garbage.



- 7.2 If the Person does not within the period designated in the notice comply with the said notice, then Council may proceed to have the work done and charge the costs thereof to the Person.
- 7.3 All Garbage referred to in Subsection 7.1 shall be immediately disposed of by the same Persons by taking the Garbage to a waste management/landfill site.

Division 3 - Prohibited Disposal

8. Importing waste

- 8.1 No Person shall import waste of any kind into the Town for disposal.

9. Regulated Waste

- 9.1 Any Person that produces or possesses any dangerous, toxic or hazardous waste, shall remove and dispose of such waste in accordance with applicable provincial and federal statutes and regulations.
- 9.2 The following waste materials are excluded from Town collection:
- (a) All ashes, garbage and/or rubbish not properly prepared for collection or not placed in containers or otherwise contrary to the requirements of this Bylaw will not be removed.
 - (b) All building garbage, industrial waste, commercial garbage, bulk rubbish, junk, dead animals and hazardous waste.
 - (c) All litter except litter placed in Garbage Receptacles or litter containers or cans.
 - (d) No Person shall directly or otherwise dispose of or permit any Person to dispose of any explosive, inflammable, volatile, noxious or dangerous device or substance.
- 9.3 The Town will not undertake the removal and/or disposal of hazardous waste materials not suitable for disposal as outlined in this Bylaw. Every person responsible for the removal of such waste material shall dispose of same in a manner satisfactory to Alberta Environment.



10. Streets, Sidewalks and Public Areas

- 10.1 Except as may otherwise be authorized herein or hereunder, no Person shall place or deposit any litter, garbage, waste, ashes, rubbish or other discarded materials of any nature or description whatsoever upon any street or lane, vacant lot or in any park or public place or watercourse within the Town.
- 10.2 No Person carrying on building operation or alterations shall deposit on any street, lane, or public place any earth, gravel, industrial waste or surplus materials or other Garbage.

11. Incineration

- 11.1 Garbage and combustible refuse may be disposed by incineration in indoor incinerator units meeting the requirements on the National Building Code and that portion of the National Building Code providing for indoor incinerators and all amendments thereto is hereby incorporated to become and form part of this Bylaw.
- 11.2 Garbage and combustible refuse shall not be disposed of by incineration in outdoor incinerator units or burning barrels. The operation of any incinerator is subject to the legislation passed by the appropriate provincial jurisdiction in Alberta.
- 11.3 Rubber, leather, tar paper or other offensive refuse or matter not completely combustible or which gives off offensive odor when burning shall not be disposed of by burning in an incinerator.

12. Transport of Waste

- 12.1 No Person shall transport Garbage or waste within the Town, unless the Garbage or waste is securely covered in such a manner as to prevent the Garbage or waste from falling out of the vehicle during transport.

PART III-ADMINISTRATION AND FEES

Division 1–Charges and Fees

13. No Persons, who have a premises with a dwelling or building or structure that they operate a business from, are relieved from paying the required charges, levies and fees set out at Schedule “B” to this Bylaw, as may be amended by resolution of Council from time to time.
14. Charges and fees issued pursuant to this Bylaw to a Person shall be issued to the address for service provided by the Person, and shall be deemed to have been received within seven (7) days of the mailing thereof.



15. A Person is not relieved from paying the applicable charge of fee by reason of non- receipt of an invoice for that charge or fee. A Person who does not receive a charge of fee for an applicable billing period shall contact the Town as soon as that Person is aware, or ought to have been aware that charge or fee has become due and payable.
16. Charges and fees which are not paid within a thirty (30) day period, may be subject to a late payment penalty set out at Schedule "B", as may be amended by resolution of Council from time to time.

Division 2 – Deposits

17. As a term of providing a Garbage Collection Service to a Person, the Town may require the payment of a Garbage Collection Service Deposit in an amount set out in Schedule "B", as may be amended by resolution of Council from time to time. The Deposit shall be held by the Town and returned to the Person upon the closing of the account in accordance with the provisions of this Bylaw, unless outstanding charges, costs or damages are owing to the Town by the Person pursuant to this Bylaw.
18. Where, at any time, a Person has failed to remit a Garbage Collection charge, costs or damages owing to the Town pursuant to this Bylaw, the Town may recover the outstanding charges, costs or damages from the Garbage Collection Service Deposit provided by the Person, and may recover any remaining monies owing in accordance with the provisions of the *Municipal Government Act*.

Division 3 – Authority of Manager and Authorized Persons

20. The Manager is responsible for the administration and enforcement of this Bylaw, and may delegate this authority.
21. The Manager may establish standards, guidelines, and specifications for the design, construction and maintenance of the Garbage Collection System.
22. The Manager shall be responsible for establishing the Schedules of Garbage collection, the advertising of those Schedules to the public, and the amending of such Schedules from time to time, as determined to be necessary by the Manager in his or her sole discretion.



PART IV - OFFENCES AND PENALTIES

Division 1 – Offences

23. Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to the applicable penalties set out in Schedule "C" herein, as amended by resolution of Council from time to time.
24. Any Person who provides false information to the Town, the Manager, an Authorized Person or to any other Person empowered to enforce the terms of this Bylaw, is guilty of an offence and, upon summary conviction, shall be liable to the applicable penalties set out at Schedule "C" herein, as may be amended by resolution of Council from time to time.

Division 2 -Enforcement

25. Municipal Tags

25.1 A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Municipal Tag to any Person whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

25.1.1 A Municipal Tag shall be served upon such a Person personally, or in the case of a corporation, by serving the Municipal Tag personally upon the Manager, Secretary or other Officer of the corporation, or a Person apparently in charge of a branch office, or by mailing a copy to such Person by registered mail.

25.1.2 Where personal service cannot be effected upon a Person, the Bylaw Enforcement Officer may serve the Municipal Tag by leaving the Tag with a Person on the Premises who has the appearance of being at least eighteen (18) years of age.

25.2 A Municipal Tag shall be in a form approved by the Manager, and shall contain the following information:

25.2.1 The name of the Person to whom the Municipal Tag is issued;

25.2.2 The date of issuance;

25.2.3 A description of the offence, the section number of the Bylaw, and the date on which the offence occurred;

25.2.4 The appropriate penalty for the offence as specified at Schedule "C" of the Bylaw;



25.2.5 That the penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag, in order to avoid prosecution; and

25.2.6 Any other information as may be required by the Manager from time to time.

25.3 Where a Municipal Tag has been issued pursuant to section 25.1, the Person to whom the Municipal Tag has been issued may in lieu of being prosecuted for the offence, pay to the Town, the penalty specified on the Municipal Tag, within the time period provided.

26. Violation Tickets

26.1 In those cases where a Municipal Tag has been issued and the penalty specified on the Municipal Tag has not been paid within the prescribed time, a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant the *Provincial Offences Procedure Act*.

26.2 Notwithstanding section 26.1 above, a Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person to whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw, notwithstanding that a Municipal Tag has not first been issued.

26.3 Where a Violation Ticket has been issued to a Person pursuant to this Bylaw, that Person may plead guilty to the offence by submitting to a Clerk of the Provincial Court, the specified penalty set out on the Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.

PART V - NOTICES

27. Unless a provision of this Bylaw dictates otherwise, any notice required to be given pursuant to this Bylaw may be given by registered mail, personal service, or by posting the notice at a location on the Premises where the notice is likely to come to the attention of the person to whom it has been issued.

PART VI - GENERAL PROVISIONS

28. The Town may enter into an agreement with any party for the purpose of collecting and disposing of Garbage within the Town of Two Hills.



29. The Town shall not be liable for any damages caused by the disruption of any supply of a Garbage Collection Service where such disruption is necessary for the purpose of inspection, maintenance, repair or placement of the Garbage Collection Services components.
30. That Bylaw No. 2014-941 is hereby repealed.
31. Fees, Charges and Levies outlined in Schedule “B” be effective July 1, 2018.
32. This Bylaw shall come into full force and effect on the date of its third and final reading.

READ a first time this 26th day of June, 2018.

READ a second time this 26th day of June, 2018.

READ a third and finally passed this 26th of June, 2018.

TOWN OF TWO HILLS

LEONARD L. EWANISHAN, MAYOR

**ELSIE KIZIAK,
CHIEF ADMINISTRATIVE OFFICER**



BYLAW NO. 2018-982

SCHEDULE "A"

GARBAGE RECEPTACLE PLACEMENT GUIDELINES

To meet the intent of this Bylaw, consideration shall be given to the ease of access for disposal and collection. Guidelines for the placement and number of Garbage Receptacles shall be as follows:

1. DWELLING UNITS

- Dumpster: three (3) to four (4) Dwelling Units shall share one (1) dumpster, as determined by the Manager
- Roll-out Tote: one (1) tote per dwelling unit as determined by the Manager
- The number of dumpsters required for Dwelling Units consisting of more than one (1) residence will be determined by the Manager

2. PREMISES

- Dumpster: non-residential lots shall share one (1) dumpster, with placement as determined by the Manager
- Unless otherwise determined by the Manager, a maximum of one (1) dumpster for each non-residential lot will be provided at the Town's cost.



BYLAW NO. 2018-982
SCHEDULE "B"
CHARGES, FEES, LEVIES

1. Commercial and Residential Pickups includes Landfill Fees \$25.00 per month
2. Additional Bins or Totes Pickup..... \$5.00 per month
3. Garbage Collection Service Deposit (Renter/Tenant)\$80.00 flat
4. Late Penalty 2.5% compounded monthly



BYLAW NO. 2018-982

SCHEDULE "C"

TAGS AND PENALTIES

Penalties for contravention of this Bylaw:

- (a) For first offences\$100.00
- (b) For second offences\$200.00
- (c) For a third or subsequent offence.....\$500.00

Section	Description	Fee
4.2	Disturb garbage contents.	\$50.00
4.4	Failure to provide adequate containers	\$50.00
4.5	Moving or improper placement of containers.	\$50.00
5.1	Failure to place and keep garbage in container/improper disposal of unwrapped wet garbage and liquid containers.	\$50.00
5.2	Improper disposal of hot ashes/burning matter.	\$250.00
5.3(a)	Failure to wrap clippings of bundles of trees and shrubs and place into containers.	\$50.00
5.3(b)	Failure to tie or compact loose paper/boxes, packing, etc. and place into containers	\$50.00
9.2	Placing combustible or explosive material in garbage.	\$250.00
10.1	Any Person found littering or found depositing waste material within the corporate limits of the Town of Two Hills is guilty of an offence shall be liable on a Summary Conviction to a fine of no less than \$500.00 (Five Hundred Dollars) and not more than \$2,500.00 (Two Thousand Five Hundred Dollars) or to an imprisonment term of no more than 6 (six) months.	\$500.00 to \$2,500.00
12.1	Trucks improperly covered	\$100.00

