

**Local Government District of Pinawa  
By-law 796-15**

Being a By-law of the Local Government District of Pinawa to establish and operate a Waste Management System in the Local Government District of Pinawa.

**WHEREAS** Section 232(1)(a) of *The Municipal Act*, S.M. 1996, c.58 provides that:

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;

**AND WHEREAS** Section 250(2)(c) provides that:

250(2) Without limiting the generality of subsection (1), a municipality may for municipal purposes do the following:

- (c) acquire, establish, maintain and operate services, facilities and utilities;

**AND WHEREAS** Section 252(1)(a) and (c) provide that:

252(1) A municipality exercising powers in the nature of those referred to in clauses 250(2)(b), (c) and (e) may set terms and conditions in respect of users, including

- (a) setting the rates or amounts of deposits, fees and other charges, and charging and collecting them;
- (c) discontinuing or disconnecting a service and refusing to provide the service to users who fail to comply with the terms and conditions.

**AND WHEREAS** the Local Government District of Pinawa deems it expedient and in the best interests of the Local Government District of Pinawa to implement a Waste Management system;

**NOW THEREFORE BE IT AND IT IS HEREBY ENACTED** as a By-law of the Local Government District of Pinawa as follows:

**DEFINITIONS:**

1.0 In this By-law, unless the context otherwise requires:

- a) "Commercial Premises" shall mean all those premises which are zoned Commercial.
- b) "Premises" shall mean a building or buildings including the associated land.
- c) "Residential Premises" shall mean single family dwellings and apartments.
- d) "Surcharge Sticker/Tag" shall mean a sticker or tag purchased pursuant to Section 5 of this By-law.
- e) "Town" shall mean the Local Government District of Pinawa.
- f) "Waste" shall mean all classes of waste as set forth in Section 2 of this by-law.

**2.0 CLASSES OF WASTE**

For the purposes of the By-law the following Classes of Waste are hereby prescribed:

- a) "Agricultural Waste" shall mean excess materials derived from Agricultural activities and without limiting the generality of the foregoing shall include but is not limited to crop residues, herbicides, pesticides, fertilizers and like materials from all Agricultural pursuits.
- b) "Animal Waste" shall mean manure, excrement, carcass or any parts of mixtures thereof but does not include excrement from household domesticated pets such as, but not limited to, dogs and cats.
- c) "Ashes" shall mean cold residue resulting from the burning of a substance.
- d) "Combustible Waste" shall mean, but is not limited to, tree boughs, stumps and branches, wood and lumber
- e) "Construction/Demolition Waste" shall mean a mixture of waste building materials and rubble resulting from construction, remodelling, renovations, repairs, demolition of fire in buildings and other structures and includes but is not limited to lumber, plaster, concrete, drywall, shingles, siding, electrical and plumbing fixtures and piping or a combination thereof. Construction/Demolition Waste may be reclassified as Ashes, Combustible, Excavation, Metallic or Recyclable wastes provided said Construction/Demolition Waste is separated as per the Classifications defined in this Section.
- f) "Excavation Waste" shall mean natural soil, earth, sand, gravel, asphalt, concrete and stone or any parts or mixtures thereof.
- g) "Landfill Waste" shall mean all discarded waste but does not include Agricultural Waste, Animal Waste, Ashes, Combustible Waste, Construction/Demolition Waste, Excavation Waste, Hazardous Waste, Industrial Waste, Liquid Waste, Metallic Waste, Recyclable Waste and Yard Waste.
- h) "Liquid Waste" shall mean sewage, sewage effluent and sludge from septic tanks, holding tanks and municipal sewage treatment systems.
- i) "Metallic Waste" shall mean but is not limited to derelict vehicles, farm machinery, appliances and other items, goods or things that are comprised entirely or mostly of a metal substance or substances.
- j) "Solid Waste" shall mean any materials found in garbage that are neither recyclable nor hazardous.
- k) "Waste Oil" shall mean waste oil, lubricants, grease, petroleum and like substances
- l) "Waste Tires" shall mean tires discarded for the reason of wear or damage.
- m) "Yard Waste" shall mean leaves, grass clippings, garden and flower bed vegetation and straw.

### **3.0 REMOVAL AND DISPOSAL**

Residential Units will receive curbside collection and disposal of allowable wastes pursuant to this By-law.

#### **Removal and Disposal/Residential Premises**

- 3.01 Persons who live in Residential areas may place for collection by the Town or its designated officers the following Classes of Waste and they shall not exceed the limits per container/bag unit and shall be

placed in authorized containers and the containers shall be placed at such location for collection as hereinafter specified:

Landfill Waste  
Yard Waste  
Combustible Waste

**3.02 Persons Living in Residential Area shall place for collection:**

- a) no more than two containers of Landfill Waste per week per residential unit. This limit may only be increased if a Surcharge Sticker(s) Tag(s), as provided for in Section 5 of this By-law, has/have been purchased and attached to the third and each additional container of Landfill Waste placed at the curb for collection.

**3.03 Persons living in residential premises shall place for collection the following Classes of Waste in the following containers:**

- a) Landfill Waste shall be placed in a garbage bag having a maximum size of 67 cm by 92 cm (26" x 36") in a metal garbage can, not exceeding Seventy-five (75) litres (16 gallons) or in plastic garbage containers not exceeding One Hundred and Twenty Eight Litres (34 gallons) and cannot exceed Fifty (50) Pounds in weight.
- b) Yard Waste shall be placed in a Paper Yard Waste Bag having a maximum size of 76 cm by 122 cm (30 x 48") or in a metal garbage can not exceeding Seventy-five litres (16 gallons) or in plastic garbage containers not exceeding One Hundred and Twenty Eight Litres (34 gallons) and cannot exceed Fifty (50) pounds in weight.
- c) Combustible Waste, where practical, shall be placed in Paper Yard Waste Bag having a maximum size of 76 cm by 122 cm (30" x 48"). Where it is not practical to place Combustible Waste in the authorized bag the waste shall be bundled and securely tied and shall not exceed (4) feet in length by three (3) feet wide.

**3.04 Allowable waste for curbside collection shall be placed for collection in containers by 8:00 a.m. on the waste collection days immediately adjacent to the curb.**

In the case of Row Houses, all garbage for collection shall be placed at the street curb beside the parking lot entrance, or, at the street curb at the front of the residence.

**3.05 Persons occupying a residential unit who fail, refuse or neglect to comply with the placement of wastes at the curb for collection in the containers designated in Section 3.03 of this By-law will be provided a Notice from the Town advising the container requirement has not been met. if the person occupying the residential unit fails, neglects or refuses to comply with the proper container requirement on any subsequent collection day the Town or its designated officer shall discontinue the waste collection service until the proper container is used.**

**4. PROHIBITED WASTE**

No person shall dispose of any Class of Waste in an unauthorized or illegal manner.

**5. SURCHARGES**

**5.1 Persons occupying a Residential Premise as defined in this By-law and who may from time to time place for curbside collection**

a third and additional bag/container of Landfill Waste will be required to purchase in advance a Surcharge Sticker/Tag.

- 5.2. The purchase price of the Surcharge Sticker/Tag will be \$1.00 (One Dollar) and will be available from the Town Office.
- 5.3. Third and each additional container of Landfill Waste which has been placed at the curb for collection and does not have thereon a Surcharge Sticker/Tag shall not be collected by the Town or its designated officers.
- 5.4. The Local Government District of Pinawa may at its sole discretion waive the requirement for the provision of a Surcharge Sticker/Tag on the third and additional container of Landfill Waste for a set period of time and date.

## 6. **RIGHT OF ENTRY TO PRIVATE PROPERTY**

The Local Government District of Pinawa or its designated officers may enter upon any premises for any purpose related to the administration and enforcements of this By-law.

## 7. **LANDS TO BE KEPT CLEAN**

The owner or occupier of any premises shall cause same to be kept free of wastes. The Town or its designated officers may enter upon any such property for the purposes of removing any wastes allowed to continue thereon contrary to this By-law, and the cost of such removal may be recovered from the owner or added to the tax roll of the subject property and collected in the like and same manner as property taxes.

## 8. **UNAUTHORIZED HANDLING OF WASTE**

No person other than the owner or agent thereof unless lawfully authorized to do so, shall pick over, interfere with, disturb, remove or scatter any wastes.

## 9. **CONVEYANCE OF WASTES**

No person shall convey or cause to be conveyed any wastes in a vehicle that is not properly constructed and covered so as to prevent the wastes from leaving the vehicle while in transport.

## 10. **ENVIRONMENTAL MANAGEMENT AND EDUCATION PROGRAMS**

The Town may engage in activities to promote public knowledge and understanding of waste management and public participation in the prevention, reduction, reuse or recycling of waste and the recovery of material substances or energy from waste

## 11. **OFFENSES AND PENALTIES**

If a person fails, omits or neglects to do any act or provide anything pursuant to this By-law, the Town or any person on its behalf shall remedy the default and shall charge the cost of remedying the default:

- a) against any person, Firm or Corporation found guilty of violating, contravening or failing to observe and carry out any of the provisions of
- b) this By-law shall, upon conviction thereof, be liable to a fine not exceeding \$1,000 (One-Thousand Dollars); or

- c) as taxes against the land in respect of which the offence occurred and recover the cost in the same manner as taxes are recovered.

12. **RESCIND**

That By-law No. 593-99 of the Local Government District of Pinawa is hereby rescinded.

Done and Passed at Pinawa in the Province of Manitoba this 10<sup>th</sup> day of March, 2015.



Resident Administrator

Read a first time this 13<sup>th</sup>-day of January, 2015  
Read a second time 10<sup>th</sup> day of February, 2015  
Read a third and final time this 10<sup>th</sup> day of March, 2015.