

CITY OF MELVILLE
BYLAW NO. 08/2009

**A BYLAW OF THE CITY OF MELVILLE PROVIDING A SCAVENGING SYSTEM FOR
PROPER COLLECTION AND DISPOSAL OF WASTES WITH THE CITY OF
MELVILLE**

The Council of the City of Melville, in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be cited as **The Waste Collection and Disposal Bylaw** of the City of Melville.
2. This Bylaw shall apply only to the collection, removal and disposal of wastes of a classification authorized for collection, removal and disposal under the terms of this Bylaw, including the collection of waste under special agreement and at locations approved by the Public Works Manager and to provide for enforcement of the provisions of this Bylaw.

DEFINITIONS

3. (a) **Public Works Manager** means the Public Works Manager of the City of Melville and shall include any person appointed in writing to act on his behalf.
- (b) **Dwelling Unit** means a building of one or more habitable rooms constituting a self-contained independent unit and occupied or intended to be occupied as a permanent home or residence of one family.
- (c) **Front Yard** means that portion of the site which lies between the projection to the side property lines of the line of the front main wall of the main building on the premises and the front property line of the site.
- (d) **Sidyard** means that portion of the site which lies between the projection to the side property line of the line of the front and rear main walls of the main building on the premises.
- (e) **Lane** means a publicly owned right of way intended to provide secondary access to development sites.
- (f) **Litter** means any and all miscellaneous materials of all sorts including but not limited to matchsticks, empty packages, cigarette butts, loose paper, bags, boxes, shavings, gum wrappers, paper cups, bottles, broken glass, and any and all material 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 City cleanliness.

- (g) **Owner** means the registered and assessed owner, the agent of such registered owner or purchaser, any person in charge of operating or leasing the premises, or the resident occupant.
- (h) **Person** includes a corporation and the heirs, executors, administrators or other legal representatives of a person.
- (i) **Premises** a building containing a dwelling unit or number of dwelling units, or place of business or combination thereof, on a separately assessed parcel of land.
- (j) **Receptacle** shall mean the required waste container(s), and stand but where this Bylaw requires the receptacle to be placed on the boulevard area abutting the premises, receptacle shall mean only the waste container(s).
- (k) **Single Family Dwelling** shall mean a dwelling unit having separate access and egress directly to the outside and housing only one family.
- (l) **Wastes** shall mean and include the following:
 - (i) Liquid wastes consisting of discarded matter containing animal mineral or vegetable matter in solution or suspension.
 - (ii) Solid wastes consisting of refuse and other discarded solid material, including waste materials resulting from domestic, industrial, commercial or agricultural activities.
 - (iii) Ashes consisting of the residue of the burning of any substance commonly used as fuel or in connection with any premises whether residential or commercial, industrial, or institutional premises, for the purpose of heating or cooking or disposing of material including residue from incinerators. Cinders of ashes that are produced in large quantities at steam generating plants, factories, foundries, laundries, manufacturing or other like premises are not included within the meaning of the word ashes.
- (m) **Garbage** shall mean discarded putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

- (n) **Refuse** shall be categorized under the following classifications:
- (i) **Rubbish** shall mean non putrescible wastes, consisting of both combustible and non combustible solid wastes such as paper, cardboard, tin cans, wood, glass, bedding, crockery, and comparable materials.
 - (ii) **Building refuse** shall mean solid wastes material (earth, stones, etc.) from cellars or other excavations, debris resulting from the prefabrication, construction, remodelling, repair, maintenance, demolition, operations for houses, commercial buildings or other structures, including any residue from the burning or partially burning of such debris from any portion of a building or structure destroyed by fire or by any other cause.
 - (iii) **Industrial refuse** shall mean wastes, rejected materials, discarded machinery, etc., from manufacturing processes, factories, foundries or other works, wastes and condemned matter from canneries, stockyards, slaughter houses, meat packing plants, vegetable oil plants, or similar industries, including shells, husks, cobs, peelings, manure, slaughter house offal and dead animals; distillery and brewer mash; cinders from steam generating or power plants.
 - (iv) **Commercial refuse** shall mean wastes from business premises, except liquid wastes, tires, and similar waste products such as may be produced in garages and service stations.
 - (v) **Bulk refuse** shall mean 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 davenport, tables, mattresses, bed springs, and other bulky items of house furnishings, water heating tanks, stoves, furnaces, heating system components, fences and gates, except where such materials are clearly "Building refuse", "Industrial refuse" or "Commercial refuse".
 - (vi) **Junked equipment** shall mean inoperative automobiles, trucks, trailers, and discarded machinery units that are no longer useful as such, including bodies, blocks, tires, and other discarded machinery and vehicle components.
 - (vii) **Dead animals** shall mean and include all or any portion of a

carcass of any and all animals.

- (viii) **Hazardous refuse** shall mean 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.
- (o) **Waste Disposal Grounds** as used in this bylaw shall mean the areas designated from time to time by the Public Works Manager for the disposal of waste material.
- (p) **Zones** shall be the zones as defined from time to time under the City's then current Zoning Bylaw.

CONTROL

- 4. Unless specifically authorized by the Public Works Manager, no person shall dispose of wastes in the City of Melville except in the manner provided in this Bylaw.
- 5. The collection, removal and disposal of wastes in the City of Melville subject to such modifications as may be deemed necessary by the Public Works Manager shall be:
 - (a) on a weekly basis in all residential zones.
 - (b) in accordance with a bylaw to regulate and set the rates for the collection and disposal of solid wastes and other refuse in the commercial and industrial zones.
- 6. Notwithstanding other provisions contained in this Bylaw the Public Works Manager, from time to time, by advertisement in the weekly newspaper published in the City of Melville may order the owner or resident occupant of the premises in the specified areas of the City or in specified types of premises to place receptacles on the boulevard area abutting the premises for the time of waste collection on the day set for the collection of waste and the Public Works Manager, may by similar advertisement published in the weekly newspaper published in the City of Melville rescind such order when the emergency is over.
- 7. The decision of the Public Works Manager shall be final as to quantities and classes of material to be removed and as to the number of waste receptacles required to contain the entire normal accumulation of wastes originating from commercial premises over any given period of four (4) days accumulation or wastes originating from residential premises over any given period of seven (7)

days.

PRE-COLLECTION PRACTICES

8. Garbage shall be thoroughly drained of all liquid and shall be securely wrapped in paper before it is placed in waste receptacles for removal. Garbage and refuse may be placed in the same container.
9. Ashes shall be extinguished so that no fire or spark remains before being placed in a waste receptacle for removal.
10. The owner of every premises shall supply and at all times maintain in good condition a sufficient number of waste receptacles as determined by the Public Works Manager in order to contain the entire normal accumulation of waste originating during the period as specified in Section 7. All assembled wastes which cannot be placed in waste receptacles provided for the purpose of waste collection because it exceeds the capacity of the said waste receptacles shall be conveyed to the City's waste disposal ground by the owner for disposal immediately the waste disposal ground is opened, provided however, that the paper or cardboard consolidated into boxes or bundles of not more than five (5) cubic feet, securely bound so as to be capable of handling as a unit, shall, subject to the right of the City to refuse to remove such bundles or boxes due to their condition at the time of the regular collection by the City, be removed during the regular City collection.
11. Every waste receptacle except incinerators, intended to be picked up and dumped shall, together with its contents, weigh not more than seventy-five (75) pounds, shall be water tight, of circular design constructed of galvanized or painted metal or heavy duty plastic, preferably tapered for easier emptying and have a watertight cap-type cover which prevents the entry of water and shall have rigid fixed handles and a smooth rim at the top. They shall not be more than twenty (20) inches nor less than sixteen (16) inches in diameter at the top and shall not exceed thirty-two (32) inches in height and exceed seventy-five (75) pounds including contents.
12. Lawn clippings and garden matter or plants shall be placed in approved receptacles or heavy duty plastic bags Such plastic bags shall be closed in such a manner as to preclude water entering the bag.
13. Waste receptacles as required by this Bylaw at all times shall have the cover of such receptacle(s) tightly closed except when placing wastes therein; the cover shall not be fastened to the waste receptacle.
14. No person other than the resident occupant of the premises on which the waste receptacle is located, or the City collection employees, shall open or interfere at

any time with the contents of any waste receptacle placed for collection.

15. Every person providing or having provided for him one or more receptacles as required by this Bylaw shall:
 - (a) Keep all waste receptacles supported on a sturdy, neatly constructed stand which will support the waste receptacles approximately fifteen (15) inches above the ground surface in such manner that the waste receptacles will not overturn or be likely to be overturned; the stand shall be provided by the owner of the premises and shall be readily accessible to the City garbage collectors and shall be acceptable to the Public Works Manager.
 - (b) Where there is a lane abutting the side or rear of the premises, keep all wastes receptacles on the premises at the rear or side thereof and not more than six (6) feet from the lane.
 - (c) Waste receptacles may not be located in any front or side yard abutting a public street right of way.
 - (d) Where there is no lane at the rear or side of the premises or where a rear lane is permanently inaccessible for collection equipment, in the opinion of the Public Works Manager or where for any reason the provisions of subsection 15 (b) hereof, in the opinion of the Public Works Manager, cannot be complied with the occupant of the premises shall place for collection the waste receptacles on the boulevard area abutting the property.

COLLECTION

16. Collectors and inspectors appointed by City Council shall have the right to enter at all reasonable times all premises and yards for the purpose of performing the duties assigned to them.
17. The following wastes are excluded from City collection:
 - (a) Wastes not properly prepared for collection.
 - (b) Wastes not placed in proper receptacles.
 - (c) Wastes exceeding the size and weight limitations specified herein.
 - (d) Wastes otherwise contrary to the requirements of this Bylaw.

- (e) Ashes, refuse and garbage in excess of sixteen (16) cubic feet per week per dwelling unit.
 - (f) Waste garden produce, plants, and clippings from shrubs, trees, weeds, leaves, and grass in excess of twenty-seven (27) cubic feet per week per dwelling unit.
 - (g) Ashes, garbage and refuse from premises containing more than one dwelling unit in excess of the lesser of sixteen (16) cubic feet per dwelling unit or sixty-four (64) cubic feet per week.
 - (h) Waste garden produce, plants, and clippings from shrubs, trees, weeds, leaves, and grass from premises containing more than one dwelling unit, in excess of the lesser of twenty-seven (27) cubic feet per week per dwelling unit or one hundred eight (108) cubic feet per week.
 - (i) All building refuse, industrial refuse, commercial refuse when the amount exceeds one cubic yard in any calendar month, bulk rubbish, junk, dead animals, liquid wastes and hazardous refuse.
 - (j) All litter except litter placed in approved litter receptacles.
 - (k) All ashes, garbage or refuse disposed of contrary to the requirements of this Bylaw.
18. Waste material excluded from collection by the City at the expense of the City at large, may be removed by the City at the expense of the occupant of the premises. Liquid wastes, or semi liquids, hazardous refuse and waste material not suitable in the opinion of the Public Works Manager, for disposal by the Sanitary landfill method will not be collected by the City.
19. The City will not undertake the collection of hazardous waste materials. Persons responsible for hazardous waste material shall be responsible for transporting the materials to such locations as may be designated in writing for disposal by the Public Works Manager in suitable transportation containers, and provide proper safety safeguards during transportation and shall make suitable arrangement for disposal of the material as may be required by the Public Works Manager and the Medical Health Officer, Public Health Inspector or a Police Officer.

TRANSPORTATION

20. No person shall transport any ashes, garbage, refuse or other waste of any kind along or over any highway, street, lane or other place in the City of Melville unless in a fully enclosed vehicle or the load is fully covered and securely fastened leaving

no part of the load visibly exposed except as follows:

- (a) large, solid material such as white goods, tires, furniture, lumber, concrete and asphalt, so long as such materials are clearly secured or contained in such a way that there is no risk of material sliding from a vehicle when it is underway.
 - (b) moist sand or gravel and bagged material where such bags are secured and of sufficient weight so there is no risk of material falling from the vehicle when it is underway.
 - (c) large tree branches or tree prunings which are clearly secured so that material will not blow freely when the vehicle is underway.
 - (d) any such items as may be identified by City Council, by resolution, so long as there is clearly no risk of such material falling from a vehicle when it is underway.
21. No person shall convey, or cause to be conveyed, on any street any garbage, offal from slaughter houses, or butcher shops, swill or any waste of any offensive nature in a vehicle that is not properly constructed and covered so as to prevent the contents thereof from escaping. The cover shall protect the contents from flies and shall control as much as practical the escape of any offensive odours therefrom. No person shall allow any such vehicle to stand in any street for more than thirty (30) minutes excepting in the case of an emergency but in such case, the vehicle shall not stand any longer than is absolutely necessary.

PENALTIES AND ORDERS

22. The Public Works Manager shall issue such orders as he deems necessary for the effective application and enforcement of any provision of this Bylaw. Where a condition of a premises is in contravention of this Bylaw, the Public Works Manager shall issue orders to resident occupants, with copies to the registered and assessed owners.
23. Any person who violates any provision of this Bylaw or violates any provision of an order issued pursuant to this Bylaw or fails to do any act or thing required to be done by an order issued pursuant to this Bylaw or suffers or permits any act or thing to be done in violation of any provision of an order issued under this Bylaw or obstructs or hinders any person in the performance of his duties under this Bylaw is guilty of an offence and liable on summary conviction to a fine of not less than one hundred and seventy five dollars (\$175.00) nor more than five hundred dollars (\$500.00) and in the case of a continuing offense to a further fine not exceeding seventy five dollars (\$75.00) for each day during which the offense continues.

24. In all cases where it is the duty of the owner of the premises in question to remove wastes at the owner's expense or to do or perform any work in compliance with this Bylaw at the expense of the owner which work may include placing sufficient waste receptacles for use at any premises and/or stand and the owner fails to do so in the manner and within the time specified in an order of the Public Works Manager, the City may proceed to remove the said wastes and do or perform the necessary work at the expense of the owner and if the sum payable for the removal of the said wastes and performing the said work is not paid on or before the 31st Day of December of the year in which the sum became payable, the sum or part thereof remaining unpaid shall be added to and form part of the taxes on the land as provided in *The Cities Act*.
25. Bylaw No. 5/80 and amendments Bylaw No. 2/86 and Bylaw No. 14/93 are hereby repealed.
26. This Bylaw shall come into force and take effect on final passing thereof.

INTRODUCED and **READ** a First time this 4th Day of May, 2009.

READ a Second time this 4th Day of May, 2009.

READ a third time and **PASSED** this 4th Day of May, 2009.

Mayor

City Manager