



WASTE MANAGEMENT BYLAW

BYLAW #: 2024-06

AUTHORITY: MAYOR & COUNCIL

SUPERSEDES: WASTE MANAGEMENT
BYLAW 2023-08

EFFECTIVE DATE: February 26, 2024

BEING A BYLAW OF THE TOWN OF VALLEYVIEW, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AND MAINTAIN A WASTE MANAGEMENT SYSTEM.

WHEREAS pursuant to section 7 of the *Municipal Government Act*, and amendments hereto, a Council may pass bylaws for municipal purposes;

WHEREAS the *Municipal Government Act* gives broad authority to Municipal Councils to govern in whatever manner a Council deems appropriate, including the authority to regulate the provision of a local Waste management services including the authority to establish and maintain a system for the storage, Collection, removal, and disposal of garbage, refuse, and Waste throughout the Municipality;

**NOW THEREFORE, THE COUNCIL OF THE TOWN OF VALLEYVIEW DULY ASSEMBLED,
ENACTS AS FOLLOWS:**

PART 1 – TITLE, PURPOSE, DEFINITION, AND INTERPRETATION

1. Short Title

This Bylaw may be cited as the “Waste Management Bylaw”.

2. Purpose

The purpose of this Bylaw is to regulate and provide for clean, safe, and efficient Waste management system for the Collection, removal, and disposal of solid Waste and solid Waste transfer from residential and commercial properties throughout the Municipality, and to regulate operations for the provision of recycling services for the Town of Valleyview Recycle Centre.

3. Definitions

In this Bylaw:

“**Act**” means the *Municipal Government Act*, R.S.A. 2000, c. M-26, and associated regulations, as amended;

“**Acceptable Waste**” means any Waste which can be lawfully disposed of at the Disposal Site, and which is not defined herein as being “non-acceptable Waste”;



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“Ashes” means the residue from any substance after combustion and includes partially burnt wood, charcoal, or coal;

“Boulevard” means that portion of the right-of-way of a road lying between the curb line of the road and the abutting lot line, excepting that portion occupied by a sidewalk; or where there is no curb, that portion of the right-of-way lying between the edge of the road ordinarily used by vehicles and the abutting lot line, excepting that portion occupied by a sidewalk;

“Bundle” or **“Bundled”** means tree pruning’s compressed into a securely tied Bundle not exceeding one (1) meter in length and 0.5 meters in width and depth;

“Chief Administrative Officer” (CAO) means the chief administrative officer of the Town of Valleyview or their delegate;

“Clean Wood Waste” means solid wood, lumber, or pallets, that do not contain any glues or resins, that is not painted, stained, or treated with chemicals, and may be pierced with nails or other metal fasteners;

“Collection Container” means a Waste Receptacle, Commercial Bin, or receptacle purposed for the Collection of Waste;

“Collection Day” means the day or days on which Waste is regularly collected from specific premises;

“Collection Event” means a specially scheduled Waste collection or drop-off service for specific purpose, such as the disposal of Waste that is not normally collected due to volume, size, or nature, or for other purposes as applicable;

“Commercial Hauler” means a Person engaged in the business of collecting Waste and recyclable materials from Property for transport to a Disposal Site or material recovery facility;

“Collection Personnel” means any Person or contractor employed or hired by the Town of Valleyview for purposes of collection, removal, or disposal of Waste materials;

“Collection Point” means a location where one Collection Container, or Commercial Bins and recycling Collection Containers are placed for collection by the Town of Valleyview;



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“Commercial Bin” means a Waste Collection bin purposed and sized to be shared by Multi-Family Residential Premises, such as an apartment building or townhouse; mobile or manufactured home parks; commercial/industrial/institutional properties; or any Waste bin that is similar to such a bin in size or make; and suitable to be mechanically loaded by the Town’s Waste disposal vehicles as approved by the Town;

“Compost Material” means Yard Waste such as grass clippings, fallen leaves, weeds before they seed;

“Council” means the Municipal Council of the Town of Valleyview;

“Curbside Collection” means a Waste Collection service provided by the Town typically for residential premises, where each premises places Waste for Collection individually and Collection Personnel stop at each location;

“Director” means the Director of Public Works or any successor position, or his or her designate;

“Disposal Site” or **“Disposal Grounds”** means the refuse and Waste material disposal area or site designated by the Town;

“Disposal Site Supervisor” includes any employee or contractor authorized to control the operations of the Disposal Grounds by the Director of Public Works;

“Dwelling” means a building or portion of a building containing one (1) or more rooms used as or designed to be used as a residence and containing sleeping, cooking and sanitary facilities and intended as a permanent residence, and as further defined within the Town’s Land Use Bylaw. Dwellings do not include a detached garage, a storage or shed unit or building, or any structure that is not permanently attached to the Dwelling;

“Garbage” or **“Waste”** or **“Household Waste”** means Transfer Station Materials excluding Non-Acceptable Waste as set out in Schedule “B” of this Bylaw, Yard Waste, and all Waste material created by the operation of a household or business;

“Garbage Bag” means a plastic bag supplied by the owner or occupier of Property for the deposit of garbage;

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“Hazardous Substances” means any substance or mixture of substances that is designated as hazardous under the Alberta Waste Control Regulation or otherwise exhibits characteristics of flammability, corrosivity, reactivity, or toxicity;

“Health Officer” means that Person defined as the Health Officer in the Public Health Act;

“Household Waste” means disposable materials generated by households;

“Landfill” or **“Pit”** means a Class II or Class III landfill that accepts 10,000 tonnes or less of Waste per year;

“Large Item” means a single item of Waste that is not collectable through Curbside Collection;

“Multi-Family Residential Premises” means a building which is either occupied or intended to be occupied by more than two (2) families living independently of one another on the same premises such as in an apartment or townhouse but does not include buildings or premises which are part residential and part commercial or industrial;

“Municipal Tag” means a tag or similar document issued by the Town pursuant to the *Municipal Government Act* that alleges a Bylaw offence and provides a Person with the opportunity to pay an amount to the Town in lieu of prosecution of the offence;

“Non-Acceptable Waste” means any material, item, substance, or Waste that is listed in Schedule “B” of this bylaw which cannot be lawfully or conveniently accommodated at the Disposal Site such as, but not limited to, hazardous Waste, radioactive Waste and any other Waste which is deemed by the Director of Public Works or to be not acceptable for disposal;

“Non-Residential Premises” means any Property, or self-contained portion of a Property that does not contain a Dwelling unit;

“Occupant” means any Person who is residing on or to be in apparent possession or control of a Property or Structure, including, but not limited to, a lessee;

“Owner” means:

- a) in respect of land, to be registered under the *Land Titles Act* as the owner of the fee simple estate in a parcel of land; or



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- b) in respect of Personal Property, to be in lawful possession or have the right to exercise control over it or to be the registered owner of it;

“Peace Officer” means a Community Peace Officer or Bylaw Officer appointed by the Town to do any act, perform any duty, and enforce any provision outlined by any Municipal Bylaw, and includes a member of the Royal Canadian Mounted Police;

“Person” means any individual, firm, partnership, association, corporation, trustee, executor, administrator, or other legal representative;

“Property” means any and all of a parcel of land or improvements on land, or items or Personal Property including any structure;

“Proprietor” means the owner, occupant, manager, lessee, tenant, resident manager, or any other Person in charge of multi-family residential or commercial premises, including Provincial and Federal government premises;

“Reactive Waste” means a substance that:

- a) is normally unstable and readily capable of detonation, explosive decomposition, or violent reaction at standard temperature and pressure;
- b) is an explosive as defined under the Canadian *Explosives Act*; or
- c) when exposed to water, pH conditions between 2 and 12.5, a strong initiating source, heat under confinement, or agitation is capable of:
 - i. detonation, explosive decomposition, or violent reaction; or
 - ii. generating toxic gases, vapors, or fumes in a quantity sufficient to present danger to human health or the environment;

“Recyclables” means the clean materials listed in Schedule “A” as suitable for depositing in a designated Recycling Collection Container;

“Recycle Centre” means the permanent area within the Town that has been designated by the Director to receive Recyclable materials;

“Recycling Collection Container” means a container designated for disposal of recyclable materials;



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“Residential Dwelling” or “Residential Premises” shall be a Dwelling unit that contains a single-family residence or each Dwelling unit within a duplex;

“Town” means the Town of Valleyview;

“Transfer Station” means the permanent area within the Town that has been designated by the Director to receive Transfer Station Material;

“Transfer Station Material” means any material or item that has been designated as such by the Director due to the nature of the material or item;

“Violation Ticket” means a Violation Ticket as defined in the *Provincial Offences Procedure Act*;

“Waste” means any discarded or abandoned material or item that requires disposal to mitigate a nuisance or an unsafe or unsanitary condition;

“Waste Disposal Grounds” means the Town of Valleyview Waste Disposal Grounds located at NE-35-70-23-W5;

“Waste Receptacle” means a container provided by the Town and specifically designed to store Waste that will be collected by a commercial hauler;

“Waste Storage Enclosure” means a structure intended to serve Collection and storage needs for Waste, located at a Non-Residential Premises.;

“Wooden Garbage Container” means a structure constructed of wood designed to store garbage receptacles and other contained refuse, located at a Residential Premises;

“Yard Waste” shall consist of lawn clippings and or leaves.

4. Rules of Interpretation

- 4.1 Nothing in this Bylaw relieves a Person from complying with any provision of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, order, or license.
- 4.2 The headings in this Bylaw are for guidance purposes and convenience only.



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- 4.3 Every provision in this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
 - 4.4 Any reference to the provisions of the statute of Alberta is a reference to that statute as amended, from time to time.

PART 2 – GENERAL WASTE MANAGEMENT

5. General Waste Management

- 5.1 Any Person generating Waste shall deposit Waste in Waste Receptacle provided by the Town.
- 5.2 Wooden Garbage Containers on Residential Premises are prohibited.
- 5.3 The Town shall provide Waste Collection and disposal service upon such terms and conditions as are considered expedient;
- 5.4 The Town may contract with and grant an exclusive or non-exclusive right to any Person to provide Collection or disposal services within and near the Town;
- 5.5 No Person other than the Owner or Occupant, Town representative, or Collection contractor shall interfere with, disturb the contents of, remove material from, or add additional material to any Waste Collection Container (i.e., Waste Receptacle) located in any residential or non-residential Property within the Town;
- 5.6 No Person shall leave Waste of any kind accessible to domesticated or non-domesticated animals or birds;
- 5.7 No Person shall accumulate garbage on their premises or allow garbage to be accumulated on their premises;
- 5.8 All Occupants and businesses shall keep one half width of the street or alley adjoining the Property owned or occupied free and clean of garbage and refuse.
- 5.9 A Person shall not set out, attempt to dispose of, or cause to be disposed through Collection services any Hazardous Waste or Reactive Waste.

6. Preparation and Storage of Residential Waste for Collection

- 6.1 An owner or occupant shall store Waste on the premises from which it was generated.
- 6.2 Waste set out for Collection at residential premises must comply with the following:



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- a) Prior to placing in Waste Receptacle, all Waste must be thoroughly drained and securely contained in a disposable Garbage Bag no smaller than 26" x 36" and when full have a weight of no more than 25 kg.
 - b) Waste shall be deposited only in the assigned Waste Receptacle;
 - c) Ensure the lid of each Waste Receptacle is completely closed when placed for Collection;
 - d) Break apart any Waste that exceeds the dimensions of the garbage bag;
 - e) Waste Receptacles must not be filled higher than the cart rim or interfere with the cart's lid;
 - f) Waste placed into Waste Receptacles must not be packed tightly in the cart and must fall freely from the container during Collection;
 - g) No Person shall secure a Waste Receptacle closed in a manner that would impede Collection.

- 6.3 The Owner or Occupant of a premise shall ensure any Waste Receptacle provided by the Town is kept at the premises, within one (1) meter of the Dwelling, and secured to deter theft or misuse.
- 6.4 No Person shall store any Waste Receptacle(s) on any public land, boulevard, road, or sidewalk.
- 6.5 When directed by the Director of Public Works, any Person storing a Waste Receptacle(s) pursuant to Section 6.4 shall remove the Waste Receptacle(s) from any public land, boulevard, road, alley, or sidewalk.

7. Collection Events

- 7.1 The Director of Public Works may schedule additional Waste Collection Events for specific materials or Waste streams, including but not limited to Large Item Pick Up Programs and Residential Yard Waste Programs.
- 7.2 The Director of Public Works may establish additional requirements in relation to a Collection Event. If any such requirement differs from a specific provision of this Bylaw, the requirement of the event shall prevail; however, in all other cases, the provisions of this Bylaw shall apply.

8. Residential Premises

- 8.1 The Town shall provide services for Garbage Collection and for any Collection Events for all residential premises.
- 8.2 The Director of Public Works shall determine whether Curbside Collection or another type of Collection will be used for each Residential premises.
- 8.3 Disposal of Waste not collected by the Town from Residential Premises shall be the responsibility of the Person disposing of the Waste.



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9. Curbside Collection

9.1 Collection – General

- a) The Collection schedule shall be set by the Director of Public Works;
- b) No Garbage Collection shall be made from the inside of any building;
- c) Collection Personnel shall have the right to enter at all convenient times such portions of all premises within the Town as may be required for the purpose of performing Collection, removal, and disposal duties;
- d) Collection Personnel shall not be responsible for the Collection and removal of Non-Acceptable Waste as per Schedule “B;”
- e) All rubbish must be placed within a Waste Receptacle or Commercial Bin. No Garbage Bags or refuse shall be allowed outside of these containers;
- f) Collection Personnel will not be responsible for collecting any Waste which is not properly contained, nor any Waste which is placed in contravention of any part of this Bylaw.

9.2 Waste Receptacles

- a) The Town shall provide Waste Receptacles for Garbage to each premises that receives Curbside Collection from the Town;
- b) Waste Receptacles shall remain the Property of the Town;
- c) Each Waste Receptacle shall be assigned specifically to the premises to which it was provided and shall be linked to the premises by a serial number;
- d) The Town shall establish the size and quantity of Waste Receptacles to be made available;
- e) The Town shall be responsible for repairs and replacements of a Waste Receptacle resulting from normal use;
- f) The owner of a premises assigned Waste Receptacles shall be responsible for:
 - i. notifying the Town of any stolen, lost, or damaged Waste Receptacle
 - ii. making all Waste Receptacles at the premises available for inspection, repair, or confirmation of serial number upon request of the Town; and
 - iii. the repair or replacement of a Waste Receptacle that is damaged or lost due to negligence, misuse, alteration, or contravention of this Bylaw
- g) If the Director of Public Works extends Curbside Collection or a Collection Event to Multi-Family Residential Premises, the requirements related to Curbside Collection shall apply.



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9.3 Collection

- a) A Person receiving Curbside Collection shall be responsible for confirming and adhering to their scheduled pick-up day;
- b) The Town shall provide a system for the Collection of Waste upon the following conditions:
 - i. The Town may decide on the quantities of Waste to be removed from any premises or accepted by the Town for disposal;
 - ii. Collections shall be made once per week from one Collection Point from all standard residential premises;
 - iii. Collection shall be made from Multi-Family Residential and Non-Residential premises as often as is required by the Proprietor;
 - iv. Collection Personnel shall not be required to collect residential Waste on Saturday, Sunday, or holidays except at the request of the Director of Public Works.
- c) Waste Receptacle shall be placed for Collection no later than 7:00 a.m. on the scheduled Collection Day and Waste Receptacle must be returned to their storage location on the premises, within one (1) meter of the Dwelling, and as further noted in subsections 5.8, 6.1, 6.3, and 6.4 of this Bylaw, by 11:59 p.m. of the scheduled Collection Day after being emptied;
- d) When placed for Collection, the Waste Receptacle shall have a one (1) meter of clearance between any structure, vehicle, or other object;
- e) During snow removal, street sweeping, road maintenance, and other events that may require the roadway to be clear, the Waste Receptacle must be placed on a driveway and set back from the curb or the road edge;
- f) Waste Receptacle shall be placed in a manner and location such that it is visible and accessible to Collection Personnel and does not obstruct traffic or pedestrians;
- g) Waste Receptacle shall be set in an upright position with the wheeled side of the cart facing the road or alley and placed:
 - i. One (1) meter from the curb street side;
 - ii. Where otherwise directed by the Director of Public Works.



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- h) Where special conditions exist, such as unimproved alleys, steep grades, retaining walls, or any condition that causes Collection to be impractical or unsafe, the Director of Public Works may consider other methods of Collection.

10. Commercial Bins

- 10.1 The Owner of a Multi-Family Residential Premises may be required to have a Commercial Bin;
- 10.2 The Owner of a Non-Residential Premises shall rent a Commercial Bin if they require a weekly pick-up.
- 10.3 The Owner of a Multi-Family Residential Premises or a Non-Residential Premises requiring a Commercial Bin are responsible for the monthly rental and tipping fees associated with the Bin as outlined in Schedule 'C;'
- 10.4 The Town shall be responsible for providing a Commercial Bin to each premises requiring one;
- 10.5 The Town shall establish the number and size of Commercial Bins to be made available to each premises receiving Collection;
- 10.6 The Director of Public Works shall be responsible for determining the location of the Commercial Bin, to ensure safe, efficient, and direct Collection vehicle access;
- 10.7 The Owner of a premises using Commercial Bins shall be responsible for:
- a) Providing a sufficient area for Commercial Bins in accordance with Town standards and Land Use Bylaw at a location agreed to by the Director of Public Works;
 - b) Ensuring the Commercial Bin is placed on private Property and shall ensure no damage is caused to Town roads, sidewalks, boulevards, or landscaping;
 - c) Ensuring all Commercial Bins are accessible to the residents or occupants of the premises and to Collection Personnel;
 - d) Ensuring any obstacles (i.e., snow, ice, mud, excessive Waste surrounding or near bins) are thoroughly removed and cleared to allow access to Commercial Bins, including to the point the Commercial Bin meets the access point of the Collection vehicle;
 - e) Notifying the Town of any damaged or missing Commercial Bin;
 - f) The repair or replacement of a Commercial Bin that is damaged or lost due to negligence, misuse, alteration, or contravention of this Bylaw;



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- g) Commercial Bins shall not be filled higher than the upper rim of the Commercial Bin, or in any manner which prevents full closure of the lids;
 - h) Commercial Bin lids must be left closed except when placing Waste into the Commercial Bin.

11. Preparation and Storage of Non-Residential Waste for Collection

- 11.1 Waste shall be deposited within an appropriately designated Commercial Bin;
- 11.2 No Person shall deposit any Waste outside of a designated Commercial Bin at a premises except as directed by the Director of Public Works;
- 11.3 No Person shall deposit any Waste in a manner or of a nature that will impede the emptying of a Commercial Bin.
- 11.4 Prior to placing in Waste Receptacle, all Waste must be thoroughly drained and securely contained in a disposable garbage bag no smaller than 26" x 36";
- 11.5 Commercial Bins must not be filled higher than the Commercial Bins rim or interfere with the Commercial Bins lid.
- 11.6 The Owner of a Non-Residential Premises must ensure Commercial Bins are accessible and on a base sufficient to allow safe, easy access by Collection Personnel;
- 11.7 Wall and gate structures of Waste storage enclosures, whether used on a temporary or permanent basis, must be approved by the Town if Waste Receptacle is ably viewed by Public;
- 11.8 A Person shall ensure that the design construction and state of repair of any Waste Storage Enclosure on their premises allows for the safe and efficient Collection of Waste and meets the following requirements:
 - a) Doors of the Waste Storage Enclosure should not be locked on the day of scheduled Collection;
 - b) Door latches should open easily even in cold weather;
 - c) Enclosure doors should be fitted with a mechanism to secure door in an open position in events of high or gusting winds;
 - d) Enclosures should provide safe, unobstructed access for Collection Personnel.
- 11.9 No animal carcass, in whole or in part, shall be deposited in Commercial Bins;



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- 11.10 All Waste must be contained in the Commercial Bin as no hand Collection shall be made;
 - 11.11 No wood, concrete, or iron shall be picked up or collected from a Commercial Bin that may damage Collection equipment of collector.

12. Transfer Station

- 12.1 The Valleyview Recycle Centre and Transfer Station located at 4205 40th Avenue is operated by the Town of Valleyview.
- 12.2 Household Waste requiring disposal not included in regular Curbside Collection, shall be brought to the Transfer Station as per fees on Schedule “C”.
- 12.3 Any Person using the Transfer Station shall obey all signs and posted regulations and directions of site attendants;
- 12.4 No Person shall deposit any non-collectable material at the Transfer Station unless an area specifically designated has been provided;
- 12.5 No Person shall deposit in the Waste Transfer Station any materials not designated by posted signs or as per directives of the site attendants;
- 12.6 No Person shall remove any Garbage, Recyclables, Transfer Station materials, or other Waste from anywhere on the Transfer Station site without authorization from the Town unless those materials are in a designated reuse area and removed during designated operating hours;
- 12.7 No Person shall deposit any materials at the Waste Transfer Station outside the gates or fence the Waste Transfer Station or in the incorrect bins or containers for such materials;
- 12.8 Hours of operation of the Transfer Station may be established by the Director of Public Works;
- 12.9 No Person shall deposit any Waste materials at the Waste Transfer Station outside the hours of operation of that site;
- 12.10 No Person, other than Collection Personnel acting in accordance with this Bylaw or Town staff, shall enter any closed portion of the Transfer Station site outside of designated operating hours without authorization from the Town.

13. Waste Disposal Grounds

- 13.1 All Waste material deposited in the Waste Disposal Grounds shall become the Property of the Town. No Person, firm or corporation shall remove any Waste materials so deposited in the Waste Disposal Grounds unless they have first received the written permission of the Director of Public Works;
- 13.2 No Person, firm or corporation may enter the Waste Disposal Grounds except to deposit Waste materials;



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- 13.3 Materials accepted for disposal at the Waste Disposal Grounds are stated in Schedule “A”.
 - 13.3 The burning of Waste materials at the Waste Disposal Grounds is prohibited unless authorized by Alberta Forestry and the Valleyview Fire Chief. No burning Waste materials shall be deposited at the Waste Disposal Grounds;
 - 13.4 No Person, firm or corporation shall deposit, leave, dispose of, or abandon any Waste materials within the corporate limits of the Town of Valleyview, all such materials must be transported to the Waste Disposal Grounds supplied by the Town or picked up as per Bylaw;
 - 13.5 The Director of Public Works may designate areas in which specific Waste Materials must be placed.
 - 13.6 Waste Materials that are deemed to be beyond normal commercial/industrial Waste may be prohibited by the Director of Public Works from the Waste Disposal Grounds;
 - 13.7 Any Person requiring special permission from the Director of Public Works to place Waste Material at the Waste Disposal Grounds, may be assessed a charge reflecting the costs involved in placement and disposal of said Waste materials as per fee schedule on Schedule “C”.
 - 13.8 Any Person using the Town Waste Disposal Grounds shall obey all directional signs and follow any directions, instructions or orders given by a Disposal Grounds supervisor, Director of Public Works, or any other designated official of the Town of Valleyview.

14. Conveyance of Waste

- 14.1 A Person using a vehicle of any description to convey Waste of any types whatsoever from the Property where the Waste is accumulated or produced to any other location either within or without the Town, whether the same is to be placed into a Town Disposal Site or not, shall be adequately enclosed, secured, or covered so as to prevent any Waste materials from potentially falling off or being blown from the vehicle;
- 14.2 A Person who transports Waste through the Town by a vehicle of any description in a manner so that any portion of the Waste detaches itself from the vehicle and falls on Property other than Property from which it is taken is guilty of an offence against this bylaw.

15. Burning, Dumping and Containment of Waste

- 15.1 No Person shall, in lieu of disposing Waste in accordance with this Bylaw, cause or permit the direct or indirect:
 - a) Ignition or burning of any Waste;
 - b) Release of Waste into the environment; or



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c) Deposit or burial of any Waste on any public or private land, roadway, or watercourse.

15.2 Any Person storing Waste for Collection shall ensure that the Waste is properly contained to prevent the release of any materials into the environment.

15.3 No burning barrels or unapproved incinerators shall be allowed within the Town and no burning of garbage or refuse shall be allowed unless written approval is obtained from Alberta Forestry and from the Valleyview Fire Chief.

15.4 All grass burning for fire prevention purposes must be performed by the Valleyview Fire Department.

15.5 Collection Personnel shall not pick up Ashes or other Waste material that is hot or is likely to cause fire.

15.6 In the event any Waste is released, or other adverse incident occurs:

a) The Person responsible for management and control of the incident shall be responsible to:

- i. Gather any Waste released and keep it properly contained;
- ii. Provide notice to and follow the direction of any applicable authority in regard to the spill or release of any Hazardous Substance; and
- iii. Do everything reasonably possible to mitigate the incident and protect human health, safety, the environment, and Property; and

b) Any Person causing, whether by act or negligence, a direct or indirect release of Waste or other adverse incident and the Owner of the premises where the incident occurred shall be responsible for:

- i. Clean-up resulting from the incident including any Hazardous Substance or other contaminated residue;
- ii. Restoration of the affected area to its prior condition;
- iii. Any other resulting repair or remedy required;
- iv. Any applicable penalties specified in Schedule “D” of his Bylaw; and
- v. All resulting costs and damages.



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16. Residential Yard Waste

- 16.1 Collection of Yard Waste shall occur on scheduled pick-up days, occurring from late spring to early fall, with specific start and end dates determined by the Director of Public Works.
- 16.2 Yard Waste will be collected by Collection Personnel and stored for use by the Town of Valleyview in municipal greenspaces.
- 16.3 Acceptable yard Waste as per Schedule “A.”
- 16.4 Yard Waste shall be bagged in clear Garbage Bags and when full will not exceed a weight of more than twenty-five (25) kilograms.
- 16.5 Yard Waste intended for composting shall be free of animal droppings.
- 16.6 Yard Waste that does not qualify for the Residential Yard Waste Program, i.e., twigs, branches, other plant materials not part of the compost program, must be disposed of at the Disposal Grounds located at NE-35-70-23-W5 during regular operating hours.
- 16.7 No Person shall place for Collection a Bundle, package, or other material with length, width, or height of which exceeds the capacity of a clear plastic bag and not exceeding a weight of more than twenty-five (25) kilograms other than during special Large Item pick-up days which may be scheduled from time to time by the Director of Public Works.

17. Large Item Pick Up Program

- 17.1 The Director of Public Works may schedule Large Item Pick Up Programs to collect and dispose of Large Items not eligible through Curbside Collection.
- 17.2 Acceptable Large Items as per Schedule “A.”
- 17.3 The Director of Public Works may restrict the Collection of specific Large Items or may designate a specific material or items as a Large Item on a case-by-case basis.

PART 3 – GENERAL RECYCLING

18. General Recycling

- 18.1 The Director of Public Works may specify types of Acceptable and Non-Acceptable Recyclable materials as set out in Schedule “A” and Scheduled “B,” respectively.



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18.2 The Town may contract with and grant an exclusive or non-exclusive right to any Person to provide Recycling services within and near the Town;

19. Recycle Centre Facility

- 19.1 The Valleyview Recycle Centre located at 4205 40th Avenue is operated by the Town of Valleyview.
- 19.2 The fees at the Valleyview Recycle Centre will be set by the Town of Valleyview from time to time and approved by Council, and are outlined in Schedule “C.”
- 19.3 The hours of operation for the Valleyview Recycle Centre shall be determined by the Director of Public Works.
- 19.4 All Recyclables at the Valleyview Recycle Centre shall be deposited only in the designated areas.
- 19.5 No Person shall remove any Recyclables from the Valleyview Recycle Centre unless authorized by the Director of Public Works. It shall be unlawful for any unauthorized Person to enter the Valleyview Recycle Centre facility for the purpose of salvaging, picking over, scattering, searching for, or burning any materials.
- 19.6 No Person may enter the Town of Valleyview Recycle Centre to deposit Recyclables unless approved by the Director of Public Works.
- 19.7 No liquid or hazardous Waste shall be deposited at the Valleyview Recycle Centre.
- 19.8 Recyclables deposited at the Valleyview Recycle Centre will be done so in a manner which will minimize scattering.
- 19.9 No Person shall deposit materials of any kind at the Recycle Centre except in the Collection Containers provided.
- 19.10 No Person shall tamper with, interfere with, or damage a Collection Container at the Recycle Centre.
- 19.11 Any Person depositing Recyclables at the Valleyview Recycle Centre will do so in accordance with the direction of site attendants and in accordance with signage at the site.
- 19.12 Site attendants may refuse entry to any Person violating the terms of this Bylaw.



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- 19.13 A Commercial Hauler must not deposit at the Recycle Centre Waste or recyclable materials that were collected in the course of the Commercial Hauler’s business, except where granted written permission from the CAO.

20. Commercial Cardboard Recycling

- 20.1 Owners of a commercial premises within the Town who require Commercial Cardboard Recycling pick up are subject to the applicable rates as set out in Schedule “C;”
- 20.2 The Town shall be responsible for providing a Recycling Collection Container to each premises requiring one;
- 20.3 The Town shall establish the number and size of Recycling Collection Containers to be made available to each premises receiving Collection;
- 20.4 Cardboard Recyclables must be flattened before depositing into Recycling Collection Container.
- 20.5 Cardboard Recyclables smaller in dimension than 12”x12”x12” must be Bundled or contained within a clear plastic bag.
- 20.6 The Owner or Occupant of a premises using Recycling Collection Containers shall be responsible for:
- a) Providing a sufficient area for Recycling Collection Containers in accordance with Town standards and Land Use Bylaw at a location agreed to by the Director of Public Works;
 - b) Ensuring the Recycling Collection Container is placed on private Property and ensuring no damage is caused to Town roads, sidewalks, boulevards, or landscaping;
 - c) Ensuring all Recycling Collection Containers are accessible to the residents or occupants of the premises and to Collection Personnel;
 - d) Ensuring any obstacles (i.e., snow, ice, mud, excessive Waste surrounding or near bins) are thoroughly removed and cleared to allow access to Recycling Collection Containers, including to the point the Recycling Collection Container meets the access point of the Collection vehicle;
 - e) Notifying the Town of any damaged or missing Recycling Collection Containers;
 - f) The repair or replacement of a Recycling Collection Container that is damaged or lost due to negligence, misuse, alteration, or contravention of this Bylaw;



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- g) Ensuring Recycling Collection Containers are not filled higher than the upper rim of the container, or in any manner which prevents full closure of the lids;
 - h) Ensuring Recycling Collection Container lids are left closed except when placing Recyclables into the container.
 - i) Cleanup of Recyclable cardboard that has not been deposited or does not remain in the Recycling Collection Container, Bundle, or within the clear plastic bag.

PART 4 – RATE AND FEES

21. Rates and Fees

- 21.1 A monthly fee for Waste Collection and disposal shall be levied against each unit receiving Waste Collection and disposal services, as per Schedule “C” attached to and forming part of this Bylaw, which may be amended from time to time.
- 21.2 All fees and charges levied in accordance with the Town’s Utility Fees Bylaw, regardless of whether service was used or whether the account holder had arranged for another Person to make payment.
- 21.3 Residential, Multi-Family Residential, and Non-Residential Premises shall be charged the rates outlined in Schedule “C” for Waste Collection and disposal and or Recycling.
- 21.4 All accounts with the Town of Valleyview, under this section of the Bylaw, shall become due and payable in the same manner as the water and services bill with the garbage fee being added to the said water and sewer bill.

PART 5 – ENFORCEMENT

22. Vicarious Liability

- a) For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred during the employee’s employment with the Person, or during the agent exercising the powers or performing the duties on behalf of the Person under their agency relationship.

23. Corporations and Partnerships

- a) When a corporation commits an offence under this Bylaw, every principal, Director, manager, employee, or agent of the corporation who authorized the act or omission that constitutes the



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offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

- b) If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

24. Compliance Order

- a) When a Peace Officer issues a Compliance Order and the Person fails to comply with the order in the time specified in the cleanup order, the Peace Officer may commence prosecution for the offense.
- b) A compliance order shall be deemed sufficiently served, if served;
- i. Posting it on the Property, Personally served or by leaving at his residence or business with a Person on the premises who appears to be at least 18 years of age,
 - ii. By sending it by ordinary mail or registered mail to the last known address of the Person, firm, or corporation.
- c) When a Person obeys a compliance order, no prosecution shall be commenced with respect to the offense.
- d) When a Person(s) fails to comply with a Compliance Order, the Town may cause the condition of the premises to be remedied to the extent specific on the Compliance Order and shall charge the costs of the work done to the Person or Persons to whom the Order was issued and a plus 20% administrative fee will be added to all invoices.
- i. These costs involved are debt due to the Town and may be recovered as such.
 - ii. The statement and demand for payment may be served by ordinary mail addressed to the occupant at their last known address, and a copy to the owner of the land at their address on the assessment roll.
 - iii. If the Person or Persons on whom the statement is served fails to pay the amount set out in the statement within 30 days, the Town may cause the amount of the statement to be placed on the tax roll as an additional tax against the land concerned and the amount may be collected in the same manner as any Property are due and payable.

25. Offences and Penalties

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- a) A Person who contravenes any provision of this Bylaw is guilty of an offence.
 - b) A Person who is guilty of an offence is liable to a minimum fine of \$100.00 or in an amount not less than that established in Schedule “D” and not exceeding ten thousand dollars (\$10,000.00).
 - c) Notwithstanding subsection 18.3(b), any Person who commits a second or subsequent offence under this Bylaw within one (1) year of conviction for a first offence under this Bylaw, is liable on summary conviction to a fine double the amount set out for the offence in Schedule “D” to this Bylaw.

26. Municipal Tag

- a) Without restricting the generality of subsection 18.2(b), the fine amounts set out in Schedule “D” are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered.
- b) A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- c) A Municipal Tag shall be issued and served to a Person:
 - i. Either Personally; or
 - ii. By registered mail to such Person at their last known postal address.
- d) A Municipal Tag shall be in a form approved by the CAO and shall state:
 - i. The name of the Person to whom the Municipal Tag is issued;
 - ii. Particulars of the contravention under this Bylaw;
 - iii. The specified penalty for the offence as set out in Scheduled “D”;
 - iv. That the specified penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag in order to avoid prosecution; and
 - v. Any other information that may be required by the CAO.
- e) Where a Municipal Tag has been issued under this Bylaw, 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.
- f) If a Municipal Tag has been issued and the specified penalty on the Municipal Tag has not been paid within the prescribed time, a Peace Officer may issue a Violation Ticket to the Person to whom the Municipal Tag was issued.

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- g) A Peace Officer may immediately issue a Violation Ticket to any Person whom the Peace Officer has reasonable and probably grounds to believe has contravened any provision of this Bylaw.

27. Violation Ticket

- a) A Peace Officer is authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- b) If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- i. Specify the fine amount established by this Bylaw for the offence; or
 - ii. Require a Person to appear in court without the alternative of making a voluntary payment.
- c) A Person who commits an offence may:
- i. If a Violation Ticket is issued in respect of the offence; and
 - ii. If the Violation Ticket specifies the fine amount established by this Bylaw for the offence; make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.
- d) When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to subsection 18.5(c) and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

28. Continuing Offences

- a) In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

29. Appeal Procedure

- a) The Owner or Person who receives an Order pursuant to this Bylaw may request the CAO to review that Order by written notice:



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- i. The written request for a review of an Order issues must be received by the Town Administration with seven (7) days of the receipt of the Order;
 - ii. Upon receipt of a written appeal, the CAO will review the Order, the enforcement file, the Bylaw, and any other materials provided therewith. The CAO may decide to uphold, vary, or revoke the Order and will communicate in writing within ten (10) business days of receipt of the appeal including, where applicable, the date by which the upheld or varied Order must be complied with.

PART 5 – GENERAL

30. Powers of the Chief Administrative Officer

Without restricting any other power, duty, or function granted by this Bylaw, the CAO may:

- a) Carry out any inspections to determine compliance with this Bylaw;
- b) Take any steps or carry out any actions required to enforce this Bylaw;
- c) Take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- d) Establish investigation and enforcement procedures with respect to residential, commercial industrial, or other types of Property and such procedures may differ depending on the type of Property in question;
- e) Establish areas where activities restricted by this Bylaw are permitted;
- f) Establish forms for the purposes of this Bylaw;
- g) Issue permits with such terms and conditions as are deemed appropriate;
- h) Establish the criteria to be met for a permit pursuant to this Bylaw; and
- i) Delegate any powers, duties, or functions under this Bylaw to an employee of the Town.

31. Severability

All sections of this Bylaw are separate and severable. Should any section or part of this Bylaw be deemed invalid or inoperative by any court or administrative body for any reason, the remaining sections shall remain valid and in full force and effect.

32. Conflict



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Where the provisions of this Bylaw conflict with any other Bylaw enacted by the Town, the provisions of this Bylaw shall apply.

PART 6 – TRANSITIONAL

33. Repeals

This Bylaw repeals the Waste Management Bylaw 2023-08.

34. Coming Into Force

This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON: FEB 26, 2024

READ A SECOND TIME ON: FEB 26, 2024

READ A THIRD TIME ON: FEB 26, 2024

SIGNED AND PASSED ON: FEB 26, 2024


MAYOR

FEB 26, 2024
DATE


CAO

FEB 26, 2024
DATE



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SCHEDULE “A”

Acceptable Waste

Transfer Station

- Household Waste only

Disposal Grounds

- Clean wood (non-treated)
- Metal
- Concrete
- Tires
- Appliances

Residential Yard Waste

- Leaves
- Grass clippings

Large Items including, but not limited to:

- Large appliances
 - i. Ranges;
 - ii. Refrigerators;
 - iii. Freezers;
 - iv. Washers;
 - v. Dryers;
 - vi. Dishwashers;
 - vii. Water coolers;
 - viii. Hot water tanks;
- Household furniture:
 - i. Sofas;
 - ii. Loveseats;
 - iii. Dining tables;
 - iv. Chairs;
 - v. Headboards
 - vi. Desks
 - vii. Dressers
- Mattresses and box springs

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SCHEDULE “A”

Acceptable Waste (continued)

- Small equipment
 - i. Lawn mowers (fluids drained);
 - ii. Hedge trimmers (fluids drained);
 - iii. Barbecues (no tanks)
 - iv. Bicycles
 - v. Exercise equipment (must be dismantled)
 - vi. Tires
 - vii. Metal
 - viii. Wood (must be Bundled)

Recycle Centre

- Newspapers, magazines, mixed papers
 - i. Junk mail, telephone books, catalogues, office paper, brochures, envelopes.
- Cardboard
 - i. Cereal boxes, tissue boxes, milk/juice cartons, food packaging, soda/beer packaging, egg cartons (fibre), paper bags, packing boxes.
- Plastic Containers
 - i. Plastic water bottles, soda bottles, milk jugs, laundry jugs, shampoo/lotion bottles, condiment bottles, all hard plastic food containers.
- Aluminum & Metal Cans (labels removed)
 - i. Soda cans, beer cans, fruit cans, juice cans, assorted food cans, metal hangers.
- Automotive Fluid Containers
 - i. Empty oil, antifreeze and coolant jugs, empty hydraulic oil, brake, transmission fluid bottles, empty windshield wiper and DEF (diesel exhaust fluid) bottles; empty oil pails.
- Miscellaneous
 - i. Fluorescent bulbs, ballasts, regular light bulbs, batteries, paint, and aerosols.
- Electronics Recycling
 - i. Small appliances, audio/visual equipment, telecom, power and air tools, lawn and garden tools, games, toys and music systems, solar panels; and
 - ii. Other materials deemed Acceptable by the Director of Public Works.
- Any other materials or items that are not eligible for Curbside Collection and are deemed acceptable by the Director of Public Works.

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SCHEDULE "B"

Non-Acceptable Waste

Any material or Waste shall be Non-Acceptable Waste if:

- a) The deposit, Collection, or processing of the material or Waste may cause or result in:
 - i) An abnormal or unanticipated health or safety hazard to Collection Personnel or to any Person who is inspecting, operating, maintaining, or otherwise working on any facility or equipment for the Collection or processing of Waste;
 - ii) An offence under any applicable legislation or any regulation made thereunder;
 - iii) The failure of any product from a Waste processing facility to meet product specifications or objectives or any criteria listed in any applicable legislation;
 - iv) Adverse interference with, impairment of, or damage to any Waste Collection or processing equipment, facility, or process;
 - v) Injury to any Person, animal, Property, or vegetation; or
 - vi) An abnormally noxious odor.
- b) The material or Waste is, contains, or may have contained:
 - i) Any Hazardous Substance including but not limited to:
 - (1) Fuel, any flammable or explosive substance, or Reactive Waste;
 - (2) Monochlorinated or polychlorinated biphenyls (PCBs)
 - (3) Radioactive substances in concentrations in excess of those specified for release to the environment under the Canadian Nuclear Safety and Control Act and applicable regulations; and
 - (4) Pesticides or toxic substances not otherwise regulated in this Bylaw;
 - (5) Biomedical Waste including but not limited to:
 - (a) Pathological Waste
 - (b) Human or animal anatomical Waste
 - (c) Untreated microbiological Waste
 - (d) Waste sharps
 - (e) Untreated human blood and body fluids known to contain viruses and agents listed in 'Risk Group 4' as defined in 'Laboratory Biosafety Guidelines' published by Health Canada;
 - (f) Sewage or sludge; or
 - (g) Any material that has been designated as Non-Acceptable Waste by the Director of Public Works;
 - (h) Any material that does not meet the requirements set out by Alberta Environment.



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SCHEDULE “B”

Non-Acceptable Waste (continued)

Transfer Station

- Wood
- Metal

Waste Disposal Grounds

- Waste generated from areas other than within the Town of Valleyview not accepted at this site.
- Waste that would typically go into a Landfill (pit), including but not limited to:
 - Furniture (not including solid wood furniture, all hardware removed)
 - Mattresses
 - Shingles
 - Insulation and Drywall
 - Treated Lumber
 - MDF Products
 - OSB

Residential Yard Waste

- Twigs
- Branches
- Stumps
- Root balls
- Other plant materials deemed Non-Acceptable by the Director of Public Works.

Large Item Pick Up Program

- Small or light items that can be easily transported and disposed of;
- Various electronics and small appliances eligible for recycling;
- Construction and home demolition materials including, but not limited to drywall and insulation;
- Items located in or around homes. Collection Personnel will not enter homes or yards to collect items; items must be placed curbside.
- Any other materials or items that are not eligible for Curbside Collection and are deemed acceptable by the Director of Public Works.

Recycle Centre

- Wood
- Metal
- All other materials deemed Non-Acceptable by the Director of Public Works.



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SCHEDULE "C"

Garbage Rates

Effective July 24, 2023

The rates described in Schedule "C" are authorized pursuant to Utility-Garbage Collection & Disposal Bylaw #2023-08.

<u>Collection Type</u>	<u>Monthly Rate</u>	<u>Disposal Rate (Tipping Fees)</u>
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Residential Curbside Collection and Disposal Service

(240L Waste Receptacle)	\$18.00	Included
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Commercial Bin Rentals (Waste and Recyclables)

6 Yard Bin	\$75.00	\$30.00/dump
3 Yard Bin	\$38.50	\$15.00/dump
2 Yard Bin	\$27.50	\$15.00/dump

Recycle Centre and Transfer Station Fees	\$0.00	\$0.00
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Disposal Grounds

Residential	\$0.00	\$0.00
Non-Residential	\$0.00	\$50.00/tandem
	\$0.00	\$100.00/end dump

Residential Yard Waste Pick Up Program

Residential	\$0.00	\$0.00
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Residential Large Item Pick Up Program

Residential	\$0.00	\$0.00
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Recycling Fees

Residential	\$7.00	\$0.00
Commercial	\$17.00	\$0.00



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SCHEDULE "D"

Fines and Penalties

Offence	Section	1 st Offence	2 nd Offence
Dumping at Disposal Grounds without Town permission		\$250.00	\$500.00
Waste from vehicle unto public / private Property		\$500.00	\$1000.00
Not keeping garbage confined		150.00	\$300.00
Commercial outlets not supplying receptacles		\$100.00	\$250.00
Construction sites not disposing properly		\$500.00	\$1000.00
Disposal of Waste contrary to the Bylaw		\$250.00	\$500.00
Unsecured transportation of Waste	14	\$250.00	\$500.00
Unauthorized interference with disturbing contents of, removing material from, or adding additional material to any Waste Collection Container	5.5	\$250.00	\$500.00
Garbage not in Waste bin	5.8, 9.1(e)	\$150.00	\$500.00
Storing a Waste Receptacle on public land, boulevard, road, or sidewalk	6.4	\$150.00	\$500.00
Compost not in proper bags	16.4	\$150.00	\$500.00
Failure to ensure Waste is properly prepared and secured for Collection or transport	14.1, 14.2	\$150.00	\$300.00
Failure to notify the Town of any lost, stole, or damaged Waste Receptacle	9.2(f)(i)	\$50.00	\$100.00
Failure to remove Waste Receptacle from road and return it to storage location on premises next to Dwelling	9.3 (c)	\$150.00	\$300.00
Failure to maintain access to Waste Receptacles / Commercial Bins	9.3(d) (e) (g); 10.7 (c) (d)	\$250.00	\$500.00
Disposal of Waste from a Non-Residential Premises at a Residential Premises	6.2(b)	\$250.00	\$500.00
Disposal of Waste from a Residential Premises at a Non-Residential Premises	11.2	\$500.00	\$1000.00
Failure to obey Transfer Station signs or instructions	12.2	\$250.00	\$500.00



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Improper disposal of Waste at the Recycle Centre and Transfer Station	12.3, 12.4, 12.6	\$200.00	\$400.00
Unauthorized removal of an item or material from the Recycle Centre and Transfer Station	12.5	\$100.00	\$200.00
Unauthorized entrance into the Recycle Centre and Transfer Station	12.9	\$250.00	\$500.00
Failure to properly respond to the release of a Hazardous Substance	15.6 (a) (i, ii, iii); 15.6 (b) (i, ii, iii)	\$300.00	\$1000.00
Failure to properly clean up any released Waste	15.6 (a) (i, ii, iii); 15.6 (b) (i, ii, iii)	\$500.00	\$1000.00
Failure to properly secure gate of Waste Storage Enclosure in open position.	11.8 (c)	\$100.00	\$200.00
Putting Large Items out for pickup not scheduled	17	\$250.00	\$500.00