

A BYLAW OF THE CITY OF LLOYDMINSTER IN THE PROVINCES OF ALBERTA AND SASKATCHEWAN TO PROVIDE FOR THE ESTABLISHMENT OF A REFUSE COLLECTION BYLAW

WHEREAS pursuant to the Lloydminster Charter, the City has a general power to pass bylaws for any municipal purposes that it considers expedient in relationship to the safety, health and welfare of people and the protection of people and property, services provided by or on behalf of the City, and public utilities;

AND WHEREAS, pursuant to the Lloydminster Charter, the power to pass bylaws given by this Charter is to be interpreted as including the power to: establish fees for the activity authorized, including fees that may be in the nature of a reasonable tax or for the purpose of raising revenue; establish fees that are higher for persons who do not reside or maintain a place of business in the City or for businesses that are not located in the City compared with fees for persons or business in the City;

AND WHEREAS the Lloydminster Charter provides authority to the City to pass bylaws respecting the enforcement of bylaws;

NOW THEREFORE, the Council of the City of Lloydminster, pursuant to the authority granted in the Lloydminster Charter, enacts as follows:

**1. Short Title**

This Bylaw shall be cited as the "Refuse Collection Bylaw".

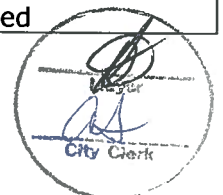
**2. Definitions**

In this Bylaw, the following definitions shall apply:

<b>a. Ashes</b>	The residue from the burning of combustible materials.
<b>b. Blue Bag</b>	Transparent blue recycling bags identified in the curbside collection program as exclusively used to collect recyclables
<b>c. Boulevard</b>	Any part of a roadway that is: <ul style="list-style-type: none"> <li>i. Not generally used for vehicular traffic; and</li> <li>ii. Is that part of the roadway that is not especially adapted to the use of or ordinarily used by pedestrians</li> </ul>
<b>d. Cart</b>	Receptacle identified in curbside program as being exclusively used to collect waste or organics material
<b>e. City</b>	The City of Lloydminster and the area contained within the corporate boundaries of the City.

Official signatures of the Mayor and City Clerk in circular stamps.

<b>f. City Manager</b>	The Chief Administrative Officer of the City or his or her designate
<b>g. Collector</b>	A Person employed or contracted by the City to collect Refuse
<b>h. Commercial</b>	Premises used to conduct a profession or business
<b>i. Construction and Demolition</b>	Building and taking down or deconstructing a structure
<b>j. Duplex Housing</b>	A building containing only two dwellings, with one dwelling placed over the other in whole or in part with individual and separate access to each dwelling.
<b>k. Hazardous Waste</b>	Any and all kinds of materials that may be dangerous for collectors to handle including but not limited to explosives, detonators, ammunition, volatile inflammable material, poisons, acids, caustics and infected materials, bedding and clothing from sick rooms, biomedical waste, paint, oil, glycol etc.
<b>l. Industrial</b>	Premises that are used for manufacturing, processing, assembling, cleaning, servicing repairing, testing, storage, distribution or warehousing of materials, goods, or equipment.
<b>m. Institutional</b>	Premises used as temporary place of residence and includes hotel, motel, school, church, prison, senior citizen's home, special care home, community home and hospital but does not include a residence as defined in this Bylaw.
<b>n. Kitchen Catcher</b>	Receptacle identified in the curbside collection program for collection of food waste.
<b>o. Multi-Family Housing</b>	High density housing (condominium, apartments, or row houses) consisting of three or more dwellings.
<b>p. Organics</b>	Biodegradable waste, typically originating from plant or animal sources, which may be broken down by other living organism; examples include but are not limited to: yard waste, kitchen waste, soiled cardboard etc.
<b>q. Organics Cart</b>	Cart identified in the curbside collection program as being exclusively for the storage and collection of Organics
<b>r. Peace Officer</b>	A member of the Royal Canadian Mounted Police; a member of a municipal police service; a Peace Officer; and a Bylaw Enforcement Officer appointed pursuant to section 55 of the Lloydminster Charter and a person appointed pursuant to the Peace Officer Act (Alberta) as amended



<b>s. Person</b>	An individual, partnership, association, corporation, trustee, executor, administrator or legal representative
<b>t. Recyclables</b>	Material or mixture of materials that is intended to be recycled or reused as per City's curbside collection program; example include but are not limited to: plastics 1-7, paper, newsprint, clean cardboard, and tin etc.
<b>u. Refuse</b>	All waste materials of any kind, except ashes, that are intended to be recycled or disposed of. This includes but is not limited to: <ul style="list-style-type: none"> <li>i. Organics</li> <li>ii. Recyclables</li> <li>iii. Waste or Garbage</li> </ul>
<b>v. Residence</b>	Low density housing consisting of up to two dwellings, but does not include the land surrounding the residence.
<b>w. Scavenge</b>	To search through, pick over or remove objects or waste set out for collection for by City waste service
<b>x. Semi-detached Dwelling</b>	A residential building consisting of only two Dwellings.
<b>y. Single detached Dwelling</b>	A residential building containing only one dwelling, which is separate from any other Dwelling or building.
<b>z. Street</b>	Portion of every roadway, public road, avenue, alley, public drive, or Public Place in the City, intended for the use of vehicles.
<b>aa. Summary Offence Ticket</b>	As defined by the <i>Summary Offences Procedure Act</i> , S.S., 1990-01, c. S-63.1
<b>bb. Violation Ticket</b>	As defined by the <i>Provincial Offences Procedure Act</i> , R.S.A 2000, c. C-34.
<b>cc. Waste Cart</b>	Cart identified in the curbside collection program as being exclusively for the storage and collection of waste or garbage.
<b>dd. Waste or Garbage</b>	Refuse or any material other than recyclables or organics intended for disposal

### 3. General

- 1) Except where specific authority is reserved to Council, in the Bylaw, the administration and enforcement of this Bylaw is hereby delegated to the City Manager.
- 2) Without restricting any other power, duty or function granted in this Bylaw, the City Manager may:
  - a. delegate any powers, duties or functions under this Bylaw to an employee of the City, including a Bylaw Enforcement Officer or a member of the RCMP;
  - b. carry out any inspections that are reasonably required to determine compliance with this Bylaw;
  - c. establish forms required for the administration of this Bylaw.



- 3) All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.
- 4) Where there is a conflict between the provisions of this Bylaw and any other regulations or legislation, the more restrictive provision prevails.
- 5) The collection, removal and disposal of Refuse in the City of Lloydminster shall be under the direction and supervision of the City Manager, except as otherwise provided.
- 6) No Person shall collect and dispose of waste, Organics, and Recyclables for residential, Commercial, Industrial, and Institutional other than in the manner stipulated in this Bylaw.
- 7) Burning of refuse in an outdoor fire pit is prohibited. Incineration is an allowed method of Waste disposal only for hospitals.

#### **4. General Provisions for Residential Automated Curbside Collection**

- 1) Service Eligibility for Residential Automated Collection
  - a. The City of Lloydminster shall provide curbside waste, Organics, and recycling collection services to all Single Detached, Semi-Detached, and Duplex Dwelling Residences within the corporate limits of the City. Aforementioned Residences are required to participate in the City's curbside collection program.
  - b. Residences eligible for the program shall be issued one (1) Waste Cart and one (1) Organics Cart. No Residence shall be entitled to additional Carts unless a written request is approved by the City Manager. Requests may be approved by the City Manager if all diversion options have been utilized and weekly generation of un-divertible waste is more than the cart's capacity. Examples of such are non-hazardous medical waste.
  - c. Dwellings within a condominium development and Multi-family Housing identified with serviceability challenges for the automated cart collection are required to contract their own Refuse collection services.
- 2) Special Collection Services
  - a. Residents with health or mobility issues can apply for a Walk-up Collection Service to the City Manager by completing the form set out by the City Manager. Residents meeting the following criteria are eligible for walk-up service:
    - i. Resident has health or mobility issues that will prevent him/her to put his/her Carts on the curb;
    - ii. Resident has no one in his/her household to put his/her cart out on the curb.
  - b. Walk-up Collection Service is offered free of charge. Resident is to notify the City if and when the walk-up service is no longer needed. Service is to be renewed every 2 years by applicant or designate via phone call, email, or letter to the City Manager. Failure to notify may cause termination of Walk-up Collection Service.
- 3) Prohibited Waste
  - a. Hazardous Wastes are prohibited to be disposed of at the curbside.
  - b. Bulky items (ex. furniture and electronics) are prohibited to be disposed of at the curbside.



## 5. Implementation

Owner of a Residence shall set out waste for collection in accordance with the following:

- 1) No Residence serviced by City curbside program shall dispose of Refuse anywhere in the City other than in the Waste Cart and Organics Cart that is provided and/or Blue Bags for recycling.
- 2) Waste and Organics shall be set out securely within the Waste Cart and Organics Cart. Loose material or bags outside the cart, except for Blue Bags and bundled cardboard, will not be collected.
- 3) All Recyclables are placed inside a Blue Bag and securely tied. Large cardboard/boxes intended for recycling must be cut-up or folded, flattened and securely bundled with a string or tape.
- 4) Animal waste intended for disposal in the Organics Cart must be securely bagged.
- 5) Ashes shall be completely extinguished so that no fire or embers remain before being placed in Waste Cart for disposal.
- 6) No Person or authorized collection employee shall Scavenge or open any cart or Blue Bag that has been placed for collection at any time. No Person other than a collection employee shall move Carts or Blue Bag(s) placed for collection.
- 7) Parking within one (1) meter of a cart or Blue Bag prior to collection on the scheduled collection day is prohibited.
- 8) The owner of a Residence shall place all Waste and Organics Carts and Blue Bags curbside for collection in accordance to the following:
  - a. Carts and Blue Bags are out on the curb by 7am on the scheduled collection day.
  - b. Carts and Blue Bags are only allowed on the curb within 24 hours of the scheduled collection day.
  - c. Lids on Waste and Organics Carts should be fully closed. Carts with unclosed lids will not be emptied.
  - d. A one (1.0) meter (arm's length) clearance on all sides and above the cart and Blue Bags are maintained for collection; and in winter a one (1.0) meter clearance from snow banks should be maintained.
- 9) The City reserves the right to refuse collection of Waste Cart or Organics Cart or Blue Bag that:
  - a. is improperly placed and cannot be accessed by the collection truck;
  - b. contains improperly prepared waste, unacceptable waste, or prohibited waste;
  - c. exceeds the truck arm's allowable weight capacity;
  - d. will cause harm to collection crew or damage collection equipment.
- 10) Unless otherwise stipulated in this Bylaw:
  - a. the City shall collect all waste and Organics in Carts and Recyclables in Blue Bags as per Schedule A, which is attached and forms part of this Bylaw, from all Single Detached, Semi-Detached, and Duplex dwellings within the corporate limits of the City of Lloydminster.



- b. the City will not collect Refuse identified in section 4-3 Prohibited Waste. The occupant of a Residence shall be responsible for disposing of Prohibited Waste at the City Landfill or contracting alternative disposal for Hazardous Waste.
  - c. the City shall collect Refuse only from the city-provided Waste Cart and Organics Cart or from Blue Bags. Each Residence may only put out one Waste Cart, one Organics Cart, and unlimited number of blue recycling bags for each scheduled collection day.
- 11) No Person shall keep Refuse in a cart for collection if such Refuse has an excessively offensive odor and appearance which is annoying to the owners of the adjacent premises. The occupant shall immediately dispose of Refuse by taking it to the City's Sanitary Landfill.
  - 12) Waste Collector shall:
    - a. collect Blue Bags, empty Waste and Organics Carts and return Carts as close as possible to the original location;
    - b. remove excessive Refuse that spills during the course of collection;
    - c. avoid damage to Refuse containers during the Refuse collection activity.
  - 13) The owners of all properties in the City other than single detached, semi-detached and Duplex dwellings shall be directly responsible for the collection and disposal of all Refuse from their premises.
  - 14) The City shall identify "problem areas" where collection of Carts is persistently challenging due to the spatial requirements. The City may opt to declare this area a "No Parking Zone" until scheduled collection is completed to facilitate collection.
  - 15) After collection, the owner shall ensure that all Carts and any uncollected or refused waste are removed from streets or boulevards within 48 hours from completed collection. Any Carts improperly left on the street or boulevard 48 hours after completed collection may be removed by the City. A fee as outlined in Schedule B may be charged to resident's utility bill if the cart is removed by the City.
  - 16) No Person shall remove the Carts and Kitchen Catcher from the Residence or use the Carts for any other purpose other than as permitted in this Bylaw.
  - 17) The City of Lloydminster reserves the right to investigate claims of lost, damaged, or stolen Carts. In the event that loss or damage are due to customer negligence, occupant of the Residence will be charged the cost of the replacement cart on their utility bill as outlined in Schedule B.

**6. General Provisions for Commercial, Industrial, and Institutional Collection**

- 1) Owners of Commercial, Industrial, and Institutional premises shall:
  - a. provide suitable waste bins capable of receiving and containing waste;
  - b. ensure that the bin is emptied on a regular basis such that there is no excessive accumulation of waste, as determined by a Peace Officer.
- 2) The owner or any Person recognized as the main contractor carrying out landscaping, Construction, alteration, or Demolition of buildings or other building operations shall:
  - a. provide a suitable waste bin capable of receiving and containing waste;



- b. ensure that the bin is emptied on a regular basis such that there is no excessive accumulation of waste, as determined by a Peace Officer;
- c. secure an approved permit from the City Manager to deposit on any Street any earth, gravel, or refuse;
- d. be responsible for the building site and the actions of any subcontractor or tradesman who fails to comply with Section 6 of the Bylaw.

#### **7. Transport of Refuse**

- 1) No Person shall operate any vehicle transporting ashes, refuse, or other debris of any kind on any highway, street, lane or bridge within the City of Lloydminster, unless the load is completely enclosed or covered with a securely fastened tarp covering the load in such a manner that it shall be impossible for any part of the said load to become dislodged.
- 2) No Person shall operate any vehicle transporting waste from a slaughterhouse or butcher shop unless proper measures have been taken to ensure that the waste is transported in a water tight container and odors are prevented to escape.

#### **8. Fees**

- 1) Each single detached, semi-detached, and Duplex dwelling in the City of Lloydminster receiving curbside collection services shall be charged a monthly fee as per Schedule B to defray the cost of providing waste, Organics, and recycling collection services.
- 2) The monthly fee shall be added to and shall form part of the periodic billing for water and sewer service charge as authorized under the current Water and Sewer Bylaw.
- 3) Without restricting any right of recovery the City would have but for this Bylaw, all rates, cost or charges made under this Bylaw shall be a preferential lien and charge on the house, tenement, lot or part of a lot in respect of which the services are furnished, and may be levied and collected in like manner as municipal rates and taxes may by law be recoverable.

#### **9. Penalties and Enforcement**

- 1) Any Person who commits a breach of any of the provisions of this Bylaw shall be liable to penalty as outlined in Schedule C of this Bylaw.
- 2) All Peace Officers are hereby authorized to enforce the provisions of this Bylaw and to issue a *Summary Offence Ticket* or a *Violation Ticket* to any Person whom they reasonably believe has contravened the provisions of this Bylaw.

#### **10. Severance**

- 1) If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.



- 2) If any provision herein is adjudged to be repugnant to any federal regulation or legislation, this Bylaw shall continue in full force and effect but any such repugnant provision shall be of no force or effect until such time as the repugnancy is removed by repeal or amendment of the federal legislation or regulation.

Bylaw 25-1986, "The Lloydminster Garbage Bylaw", regulating landfill and curbside disposal of waste within the City of Lloydminster, adopted June 2, 1986, and all subsequent amendments is hereby repealed.

This Bylaw shall come into force and effect January 1, 2015.

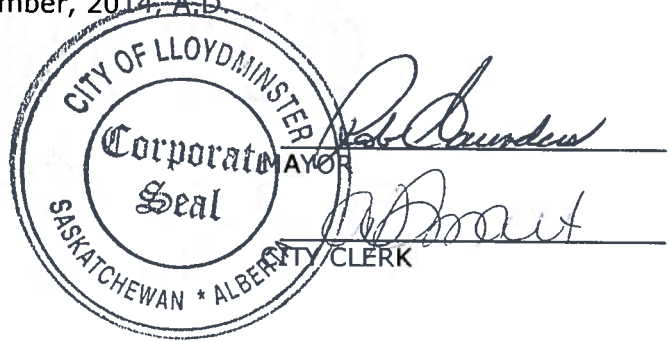
INTRODUCED AND READ a first time this 10<sup>th</sup> day of November, 2014, A.D.

READ a second time this 24<sup>th</sup> day of November, 2014, A.D.

READ a third time this 24<sup>th</sup> day of November, 2014, A.D.

Date signed NOV 27 2014

Date signed NOV 27 2014



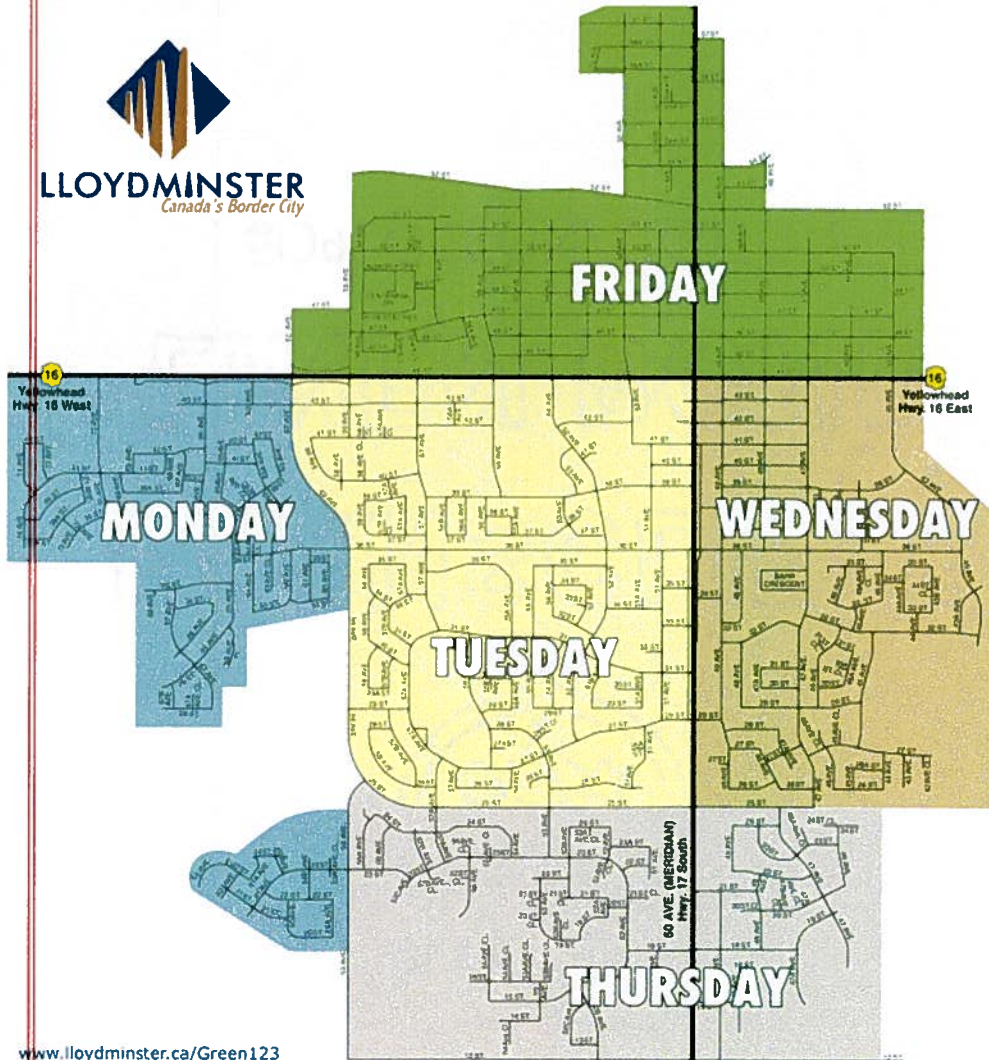


Schedule "A"  
Attached to Bylaw 39-2014

Garbage, Recycling, and Organics Collection Calendar



LLOYDMINSTER  
*Canada's Border City*



[www.lloydminster.ca/Green123](http://www.lloydminster.ca/Green123)

Mayor  
*al*  
City Clerk

**Schedule "B"**  
**Attached to Bylaw 39-2014**

**Fees and Utility Account Information**

Any Residence receiving curbside collection from the City of Lloydminster shall pay the following charges on their water bill:

Table 1. Collection and Processing Fees

<b>Item</b>	<b>Monthly Fee (\$)</b>
Waste, Organics, and Blue Bag Collection Services	\$ 15.50
Waste and Organics Disposal	\$ 4.00
Total Fee	\$19.50

*Note: Applicable to Residence Receiving Curbside Collection Services*

Table 2. Other Fees

<b>Item</b>	<b>Penalty</b>
Cart Retrieval Fee	\$35.00
Cart Replacement Fee	\$100.00

1. Any Residence requiring cart(s) replacement due to lost or damaged cart where the loss or damage is determined to be caused by negligence shall be charged the Cart Replacement Fee as indicated in Table 2 on the next scheduled water bill.
2. Any Residential (RES) premises approved to be converted to Commercial (COM) premises may request in writing that curbside services be discontinued. Discontinuance of curbside charges are effective 15 days from the date the request was received by the City Manager.



**SCHEDULE C.  
Attached to Bylaw 39-2014**

**Penalties and Fines**

<u>Section</u>	<u>Offence</u>	<u>Fine</u>
Disrupting contents of a waste or recycling container	5 (6)	\$ 150.00
a) Second and all subsequent offence within 1 year		\$300.00
Removing Waste Cart or Organics Cart from premises	5 (16)	\$ 200.00
Failure to empty bins/ over full bins	6 (1)(b), 6(2)(b)	\$ 200.00
Failure to clean-up Construction and Demolition, and building waste from public property	6 (2)(d)	\$ 300.00
Failure to cover waste during transport	7 (1)	\$ 125.00
Failure to transport slaughterhouse waste in watertight container	7 (2)	\$ 125.00

Except as otherwise provided in this Bylaw, a Person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided is liable to a penalty of not more than \$125.00.

