

**TOWN OF LEGAL
BYLAW #01-2023
WASTE COLLECTION BYLAW**

A BYLAW OF THE TOWN OF LEGAL IN THE PROVINCE OF ALBERTA TO ESTABLISH TERMS AND CONDITIONS FOR THE PROVISION OF WASTE COLLECTION AND RECYCLING SERVICES IN THE TOWN OF LEGAL.

WHEREAS the *Municipal Government Act, RSA 2000, c. M-26* provides that a Council may pass bylaws respecting public utilities; and

AND WHEREAS it is deemed advisable and expedient to set out the terms and conditions applicable to the collection and disposal of solid waste and the provision of recycling services within the Town of Legal;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF LEGAL, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. SHORT TITLE

- 1.1 This Bylaw may be referred to as the "Waste Collection Bylaw".
- 1.2 The services provided by the Town shall be provided pursuant to the terms, conditions and provisions of this Waste Collection Bylaw, the contents of which shall be binding upon and form part of an agreement between the Town and any Person who receives the services.

2. DEFINITIONS

- 2.1 "Approved Building Material" means all waste produced in the process of constructing, altering, or repairing a building, including earth, vegetation, concrete, and rock displaced during the process of building:
 - 2.1.1 board lumber, such as 2 x 4's, 2 x 6's, 2' x 10's, baseboards, casings, etc., not exceeding lengths of 0.9 meters (36"); or
 - 2.1.2 sheet lumber, such as plywood, paneling and drywall, not exceeding 0.9m x 0.3m (36"x 12") sheets with maximum thickness of 25mm (1"); or
 - 2.1.3 insulation, plastic, or other such material used in the construction or reconstruction of a building or facility;
- 2.2 "Ashes" means the powdery residue left after the combustion of any substance and includes partially burnt wood, charcoal, or coal;
- 2.3 "Automated Bin Service" means a Collection Service where Refuse is stored in a Waste Roll Cart constructed to be emptied mechanically into a Collector's vehicle;
- 2.4 "Blue Bag" means a blue transparent plastic bag in which acceptable recyclable material may be placed;
- 2.5 "Burning" means burning of paper and cardboard;
- 2.6 "Bylaw Enforcement Officer" means a Bylaw Enforcement Officer contracted by the Town pursuant to the *Municipal Government Act, RSA 2000, c. M-26*, to enforce the Town Bylaws, and includes a member of the Royal Canadian Mounted Police, and when authorized, a Special Constable;
- 2.7 "Chief Administrative Officer" means the Chief Administrative Officer for the Town of Legal;
- 2.8 "Clerk of the Provincial Court" means an officer of a Provincial court who accepts filings, issues process, and keeps records;
- 2.9 "Collection Day" means the day or days during each week on which waste or recyclables are collected from a specific premise;
- 2.10 "Collection Service" means the curbside collection of Refuse via Automated Bin Service, and Recyclable Materials via manual service;
- 2.11 "Collector" means the Person or Persons appointed by the Town for the purpose of collecting and disposing of Refuse and Recyclable Materials;
- 2.12 "Commercial Facilities" includes stores, warehouses, commercial, industrial, and institutional facilities;
- 2.13 "Commercial Bin" means a container of steel construction with volume of 2 cubic yards (1.5 cubic meters), 4 cubic yards (3.1 cubic meters), or 6 cubic yards (4.6 cubic meters), collected using an automated front-end loading commercial bin truck, provided by the Town on behalf of the Collector for Collection Services;

- 2.14 "Compost Site" means the location designated by the Town for the disposal of Yard Waste;
- 2.15 "Compulsory Service" means the requirement for Collection Services within the Town of Legal or properties as set out in Schedule "A" of this Bylaw;
- 2.16 "Container" means one or a combination of the following:
 2.13.1 Waste Roll Cart;
 2.13.2 Non-reusable Blue Bags for combined collection of Recyclable Materials;
- 2.17 "Council" means the Municipal Council of The Town of Legal;
- 2.18 "Dangerous Goods" has the same meaning as in the *Dangerous Goods Transportation and Handling Act, RSA 2000, c. D-4*, as amended;
- 2.19 "Fees and Charges" means the Town's Fees and Charges as set out in Schedule "C" of this Bylaw;
- 2.20 "Garbage Bag" means a bag that can withstand a minimum of 20.4 kg (45 lbs) weight;
- 2.21 "Hazardous Waste" has the same meaning as in the *Environmental Protection and Enhancement Act, RSA 2000, c. E-12*, as amended;
- 2.22 "Householder" means any Owner, occupant, lessee or tenant, Property Manager, or other Person designated by the Property Owner or any other Person in charge of any Dwelling;
- 2.23 "Industrial/Commercial/Institutional Waste" or "ICI Waste" means material of similar composition as mixed waste collected within the Town other than by the person contracted by the Town for collection services;
- 2.24 "Institutional Facilities" means a hospital, nursing home, hotel, or school;
- 2.25 "Multi-Family Complex" means a building or private community containing three or more units, including apartment buildings, townhouses, condominiums, and seniors' complexes;
- 2.26 "Owner" means the person who is registered under the *Land Titles Act, RSA 2000 c. L-4*, as amended or replaced from time to time, as the Owner of the fee simple estate in land, or a Person who is recorded as the Owner of the property on the tax assessment roll of the Town;
- 2.27 "Park", "Parked", and "Parking" means a Vehicle remaining stationary in one place whether or not the Vehicle is occupied, or the engine is running, but excluding Vehicles stationary in one place while:
 2.27.1 actually engaged in loading or unloading passengers; or
 2.27.2 in compliance with a Traffic Control Device or the direction of a Bylaw Enforcement Officer;
- 2.28 "Person" means any individual, householder, firm, partnership, association, corporation, company, and heirs, executors, administrators or legal representative of a Person, or organization of any kind;
- 2.29 "Snowbird" means a person who vacations in or moves to a warmer climate during cold weather;
- 2.30 "Tenant" means:
 2.30.1 a person who is permitted by the landlord to occupy residential premises under a residential tenancy agreement,
 2.30.2 a person who is permitted to occupy residential premises under an assignment or sublease of a residential tenancy agreement to which the landlord has consented under the *Residential Tenancies Act, SA 2004, c. R-17.1*, and
 2.30.3 an heir, assign or personal representative of a person referred to in subclause 2.30.1 or 2.30.2.
- 2.31 "Private Collection Service" means the collection of refuse and waste by the Collector from Householders, pursuant to separate agreements or arrangements between a Householder and the Collector;
- 2.32 "Recommencement of Service" means a point in time in which Collection Services and billing for such service will resume;
- 2.33 "Recyclable Materials" means those materials collected for recycling as designated by the Chief Administrative Officer or the Collector from time to time, and listed in Schedule "A" of this Bylaw;
- 2.34 "Recycling Service" means curbside or any recycling or waste diversion service or program available to all Town residents for the collection of Recyclable Materials;
- 2.35 "Recycling Station" means any area within the Town, designated by the Town, to receive recyclable materials;
- 2.36 "Refuse" means waste from domestic, commercial, or industrial activities, including but not limited to:
 2.36.1 broken household dishes and utensils, empty tins, boxes, cartons, bottles, containers, discarded paper and fabrics and other articles;

- 2.36.2 all putrescent material including meats, fish, fruits, and vegetables resulting from the handling, preparation, cooking and consumption of food;
- 2.36.3 kitchen waste containing liquids originating from hotels and restaurants but does not include drained kitchen waste which has been properly packaged;
- 2.36.4 any material discarded from a Dwelling or Multi-Family Complex that is not Recyclable Materials or Yard Waste Materials.
- 2.36.5 Refuse does not include grass, tree and hedge cuttings and clippings, garden waste, dirt, concrete building waste, large tree trunks, car bodies, manure, large rocks, or dead animals.
- 2.37 "Residence" means any detached single-family dwelling or residence, duplex, or Multi-Family Complex designed for individual family living;
- 2.38 "Roadway" means a roadway within the meaning of the *Traffic Safety Act, RSA 2000, c. T-6*, as amended or replaced from time to time;
- 2.39 "Street" means a public thoroughfare within the Town and includes, where the context so allows, the sidewalk and borders of the street and all parts appearing in the Land Titles Office as set aside for a public thoroughfare on which the premises in question fronts;
- 2.40 "Town" means the corporation of the Town of Legal or the area contained within the boundaries thereof, as the context requires;
- 2.41 "Transfer Station" means any transfer station facility designated by the Town for solid waste disposal;
- 2.42 "Urban Service Area" means the service area within the Town of Legal;
- 2.43 "Utility Bill" means a bill which sets out the fees levied by the Town on a monthly or bi-monthly basis for utility services provided by the Town;
- 2.44 "Utility Services" means, in the context of this Bylaw, waste collection and disposal, and recycling services supplied by the Town;
- 2.45 "Vehicle" means a vehicle as defined in the *Traffic Safety Act, RSA 2000, c. T-6*, as may be amended or replaced from time to time;
- 2.46 "Violation Tag" means a tag or similar document issued by the Town or their designate pursuant to the *Municipal Government Act, R.S.A. 2000, c. M-26*, as amended or repealed and replaced from time to time;
- 2.47 "Violation Ticket" means a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act, RSA 2000, c. P-34*, as amended or repealed and replaced from time to time;
- 2.48 "Waste Disposal Site" means any disposal facility designated by the Town for solid waste disposal;
- 2.49 "Waste Roll Cart" means the roll cart compatible with the Collector's automated cart lift system which is provided to the Householders by the Town on behalf of the Collector for Collection Services;
- 2.50 "Yard Waste" means leaves, grass clippings, garden waste, house and garden plants, roots, hedge and shrub trimmings, brush cuttings, twigs, branches, and other similar materials as designated by the Chief Administrative Officer and Council from time to time, but does not include tree stumps, tree trunks, sod or clay soil.

3. ADMINISTRATION

- 3.1 The Chief Administrative Officer may delegate the administration of this Bylaw to the following employee positions:
 - 3.1.1 Public Works Supervisor or their delegate;
 - 3.1.2 Manager of Corporate Services;
 - 3.1.3 Executive Assistant or position similar thereof.

4. COLLECTION AND RECYCLING SERVICES

- 4.1 Collection Service shall be compulsory for all Dwellings in the Town, with the exception of any Dwelling defined by this Bylaw to be a Multi-Family Complex.
- 4.2 Notwithstanding Section 4.1, the Collector may, in its sole discretion, exclude any Dwellings from compulsory Collection Service where the Collector determines that it is appropriate to do so.
- 4.3 Collection of residential waste shall be on a weekly basis on a day determined by the Chief Administrative Officer in consultation with the Collector excluding holidays or more often as Council so directs, and as described in Schedule "C" of this Bylaw.
- 4.4 Collection of Recyclable Materials shall be on a weekly basis on a day determined by the Chief Administrative Officer in consultation with the Collector and as described in Schedule "C" of this Bylaw.

- 4.5 The Town may contract with any Person or Persons and provide an exclusive or nonexclusive franchise for the collection, removal and disposal of residential refuse and recyclable materials upon such terms and conditions as are considered expedient to the Town.
- 4.6 In the event the quantity of refuse cannot be contained in one (1) Waste Roll Cart, the Owner has the option to subscribe to a second Waste Roll Cart at the Owner's expense.
- 4.7 Solid refuse shall not be collected in any receptacle which has not been supplied by the Collector.
- 4.8 Where any eligible Dwelling is not served by a roadway, the Waste Roll Carts shall be placed for collection at a location as close as possible to the travelled portion of an adjacent roadway but not on a sidewalk or in such a location as to interfere with pedestrian or vehicular traffic.
- 4.9 Every Person is required to place all Recyclable Materials in a blue bag for collection.
- 4.10 Every Person is required to purchase their own blue bags.
- 4.11 There is no limit to the amount of Recyclable Material, so long as it is contained in blue bags, eligible for pick up.
- 4.12 No Person other than those contracted by the Town of Legal shall provide Collection Services, except as provided in Schedule "A", within the Town of Legal.
- 4.13 Subject to section 4.12, a person who operates a private Collection Service must:
 - 4.13.1 comply with requirements of this Bylaw;
 - 4.13.2 obtain any permit or license required by this Bylaw, any other Town Bylaw or any Provincial statute and regulations;
 - 4.13.3 refuse to collect Refuse or Recyclable Materials from premises whose Householders do not comply with the requirements of this Bylaw.
 - 4.13.4 provide all services as offered by the Town with respect to Collection Services to maximize diversion from the landfill.
 - 4.13.5 Notwithstanding any other provision in this Bylaw to the contrary, a Person who operates a private Collection Service may select whatever Container suitable to their operation for those Householders using their services to use for placing Refuse and Recyclable Materials for collection.

5. PREPARATION OF MATERIALS FOR COLLECTION

- 5.1 No Owner shall place, permit to be placed, or mix any of the following materials for collection:
 - 5.1.1 industrial waste, meaning any waste originating from an industrial site;
 - 5.1.2 any highly combustible or explosive waste or toxic material, including, without restricting the generality of the foregoing, such materials as fuels or lubricants, gun powder or bullets, dynamite, blasting caps, hot ashes, ignitable waste, motion picture film, toxic materials or radioactive materials;
 - 5.1.3 household hazardous waste or dangerous goods including solvents, oven cleaners, paints, automotive fluids, wet cell batteries, pesticides, herbicides, or any material commonly referred to as household, commercial or industrial hazardous waste;
 - 5.1.4 any compound that may be considered dangerous or hazardous under the provisions of any other legislation whether Provincial or Federal;
 - 5.1.5 compressed gas, fuel, propane or butane cylinders;
 - 5.1.6 luminescent gas filled light tubes, unless such lights are pre-broken or encased in a container of sufficient size and strength to protect such tubes from breakage and thereby allowing safe handling;
 - 5.1.7 hypodermic needles, sharp objects or broken glass unless packaged in closed, secure, safety containers;
 - 5.1.8 pathogenic and biomedical waste;
 - 5.1.9 large or bulky items such as mattresses, box springs, furniture, major appliances, or auto and truck tires;
 - 5.1.10 electronic equipment including televisions, computers, computer monitors, keyboards, and associated cables;
 - 5.1.11 automotive parts including lead-acid batteries, scrap metal, oil filters, empty oil containers, tires, and automotive bodies;
 - 5.1.12 oil or other petroleum by-products;
 - 5.1.13 sawdust, unless in closed containers before placing in the Waste Roll Carts;
 - 5.1.14 construction or renovation materials, stumps, concrete blocks, or slabs;
 - 5.1.15 liquid wastes or sludge;

- 5.1.16 commercial waste, meaning any waste originating from a place of business;
 - 5.1.17 animal waste including, dead animals, carcasses, offal, manure, kennel waste, animal parts or excreta, unless the animal excreta is packaged in a securely tied container before placing the waste in a Waste Roll Cart; or
 - 5.1.18 any other waste deemed to be prohibited from collection by the Collector, Chief Administrative Officer or Bylaw Enforcement Officer.
- 5.2 All other Refuse shall be deposited in the Waste Roll Cart but limited to the capacity of the Waste Roll Cart with the lid closed. No additional Refuse shall be collected over and above the capacity of the Waste Roll Cart unless otherwise designated by the Chief Administrative Officer.
 - 5.3 All refuse material shall be drained and wrapped, and liquid waste shall be disposed of in sealed plastic bags and placed in the Waste Roll Carts.
 - 5.4 No person shall directly or otherwise dispose of or permit any person to dispose of any explosive, inflammable, volatile, noxious, dangerous device, substance or thing in any waste receptacle or Waste Roll Cart.
 - 5.5 No person shall directly or otherwise dispose of or permit any person to dispose of any hot ashes, burning matter, or unwrapped refuse in any waste container or Waste Roll Cart.
 - 5.6 The Collector will not be responsible for picking up:
 - 5.6.1 loose ashes or hot ashes;
 - 5.6.2 loose or bagged grass clippings, yard or garden waste, branches or items identified in Subsection 2.50 of this Bylaw.
 - 5.7 Grass clippings, leaves and other yard waste will be not be collected by the Collector and are to be brought over by the Householder to the Town Compost Site.
 - 5.8 The Collector shall have no obligation to collect any materials not prepared or disposed of in the manner described in this Section.

6. COLLECTION, STORAGE LOCATIONS, AND SCHEDULING

- 6.1 The Collector shall provide one (1) 272 litre (65 gallon) Waste Roll Cart to all eligible dwellings. The Waste Roll Cart will be assigned to each property. The Collector will retain ownership of the Waste Roll Cart.
- 6.2 A Householder may request the provision of an additional Waste Roll Cart for Collection Service by contacting the Town at a cost to the Householder as described in Schedule "C" of this Bylaw.
- 6.3 All Waste Roll Carts will be fitted with covers, which must remain closed. The covers prevent residential refuse from spilling or blowing from the Waste Roll Carts and to prevent water or animals from entering.
- 6.4 No person shall allow residential refuse to spill over or accumulate on any roadway, street or adjoining public or private property. Every person will ensure that all residential refuse is kept within their Waste Roll Cart(s) at all times.
- 6.5 The Householder shall maintain all Waste Roll Cart(s) in a clean and sanitary condition at all times and shall not allow their Waste Roll Cart(s) to fall into disrepair or become noxious, offensive or dangerous to public health.
- 6.6 No person shall vandalize or willfully damage any Waste Roll Cart.
- 6.7 The Householder shall notify the Town of any lost, stolen, or damaged Waste Roll Carts and obtain a replacement by contacting the Town. The Town will consult with the Collector, and the Town will determine if the householder will be responsible to pay the cost for a new Waste Roll Cart as described in Schedule "C" of this Bylaw.

- 6.8 The Householder is responsible to leave the Waste Roll Cart(s) at the Dwelling at such time as the Householder vacates the premises.
- 6.9 For the purpose of performing their duties assigned to them any Collector or inspector shall have the right to enter yards at all convenient times between the hours of 7:00 A.M. to 5:00 P.M. on the day of collection as identified in Schedule "C".
- 6.10 The Householder shall place all Waste Roll Carts for the residence for collection:
 - 6.10.1 prior to 7:00 A.M. on the collection day, but not earlier than 5:00 P.M. on the previous day;
 - 6.10.2 at the edge of the roadway adjacent to the residence with the wheels of the Waste Roll Cart in the gutter, unless the Chief Administrative Officer has specified an alternate location, in which case the Waste Roll Cart must be placed as directed by the Chief Administrative Officer;
 - 6.10.3 with the lid to the Waste Roll Cart securely closed; and
 - 6.10.4 with a minimum of 1.2 metre (4') clearance on all sides and above the Waste Roll Cart from any obstacle including parked vehicles, fences, other carts, etc., and are placed so as to allow unimpeded access of the collection grabber directly from the side of the collection truck out to the cart.
- 6.11 Waste Roll Carts must be removed from curbside by 9:00 P.M. the day of collection. Any materials not collected must be removed from curbside by 9:00 P.M. the day of collection unless rescheduling for the next day has occurred due to an unscheduled service interruption by the Collector.
- 6.12 No Waste Roll Cart shall, except when placed for collection, be located other than on the Householder's premises, and in particular no Waste Roll Cart shall be located so as to encroach on any Roadway, highway, boulevard, lane or public place except as expressly required by this Bylaw.
- 6.13 A Householder who is infirm or disabled may apply to the Chief Administrative Officer to have Refuse from the Residence collected from an area on the premises that is away from the roadway or location directed by the Chief Administrative Officer.
- 6.14 The Householder who has been approved for collection in accordance with Subsection 6.13 shall:
 - 6.14.1 affix the approval issued by the Chief Administrative Officer to the Waste Roll Cart(s) for the Residence in a visible location;
 - 6.14.2 station the Waste Roll Cart(s) and Recyclables from the Residence in a location visible from the roadway; and
 - 6.14.3 permit Collectors to enter the premises for the purposes of Refuse collection.
- 6.15 In approved Multi-Family Complexes, Waste Roll Carts will be stored on private property and placed out for collection in such manner and location(s) as determined by the Town.
- 6.16 The Owner of a premises other than a Residence shall:
 - 6.16.1 store Refuse in Waste Roll Carts or suitable private collection containers on the premises;
 - 6.16.2 not place any Refuse from the premises for collection at a Residence; and
 - 6.16.3 remove or cause to be removed, Refuse from the premises in a manner and at a frequency directed by the Chief Administrative Officer.
- 6.17 No Person shall place any Refuse intended to be emptied by automated machinery, than that Waste Roll Cart provided by the Collector.
- 6.18 The Householder shall place all Recyclable Materials for the residence for collection:
 - 6.18.1 prior to 7:00 A.M. on the collection day, but not earlier than 5:00 P.M. on the previous day;
 - 6.18.2 curbside, adjacent to the residence, unless the Chief Administrative Officer has specified an alternate location, in which case the Recyclable Materials must be placed as directed by the Chief Administrative Officer;

- 6.18.3 ensuring the Recyclable Materials are clean and free of any food residue, dirt, or other material that is not a Recyclable Material and placed in transparent blue bags;
 - i. shredded paper will be placed in separate transparent blue bags; and
- 6.18.4 in the case of corrugated cardboard:
 - i. securely bound with string or masking tape;
 - ii. collapsed or flattened; and
 - iii. not exceeding thirty-six inches by thirty-six inches (36" x 36"), or three feet by three feet (3' x 3') in size.
- 6.19 A Collector shall:
 - 6.19.1 collect refuse from Residences at a time and in a manner specified by the Chief Administrative Officer;
 - 6.19.2 return Waste Roll Carts to the same location from which they were collected;
 - 6.19.3 remove any Refuse that spills during the course of collection;
 - 6.19.4 not scavenge, pick through, sort over or in any other way interfere with the Refuse being collected; and
 - 6.19.5 for those Residences that have been approved for walk up collection in accordance with Subsections 6.13 and 6.14 of this Bylaw enter the premises to collect Refuse.
- 6.20 The days and times of Collection Service will be the days and times approved by the Chief Administrative Officer or their designate.
- 6.21 Except as otherwise specifically provided in this Bylaw, the collection, removal and disposal of Refuse shall be under the supervision of the Chief Administrative Officer or their designate.

7. RESTRICTIONS ON COLLECTION SERVICE

- 7.1 Collection Service will not be provided if:
 - 7.1.1 the Waste Roll Cart is not a proper Container supplied by or prescribed by the Collector;
 - 7.1.2 the lid on the Waste Roll Cart is not closed;
 - 7.1.3 material is hanging out of the Waste Roll Cart; there is loose or bagged Refuse not placed in the Waste Roll Cart;
 - 7.1.4 the Waste Roll Cart contains material(s) described in Section 5 of this Bylaw;
 - 7.1.5 the materials have not been prepared as described in Section 5 of this Bylaw;
 - 7.1.6 the Waste Roll Cart contains materials other than the materials permitted by the Town; or
 - 7.1.7 the Waste Roll Cart is not located as described in Section 6 of this Bylaw.

8. WASTE CONTAINERS, DISPOSAL SITES

- 8.1 All Persons utilizing the Compost Site will obey all signs, posted regulations and directions of site attendants, if applicable.
- 8.2 No person other than the lawful user, an authorized employee of the Town or the Collector shall open or disturb the contents of any Waste Roll Carts or blue bags or remove anything from Waste Roll Carts or blue bags, nor shall any other person handle, interfere with, or in any manner disturb any Refuse of any kind put out for collection or removal.
- 8.3 No person shall operate a vehicle in the Town while it is carrying Refuse or commercial or industrial waste unless the portion of the vehicle in which material is being carried is securely covered or the material is secured to prevent any part of such material from falling off, or out of, the vehicle while in transit.
- 8.4 No Person shall Park or permit to be Parked, any vehicle within 1.2 metre (4') of a Waste Roll Cart that has been set out, prior to the arrival of the Collector, in accordance with the provisions of Section 6 of this Bylaw.
- 8.5 No person shall place Refuse into the Waste Roll Cart or Commercial Bin of another Person.

- 8.6 No person, business or commercial entity shall construct a new building or facility without the provision of a Commercial Bin (at their own cost) on site to provide for the storage and removal of new construction waste, including that of Approved Building Material waste.
- 8.7 The Owner of every multiple family dwelling and the Owner of all commercial premises shall provide sufficient Waste Material receptacles to contain the normal Refuse generated from those premises during the period between collections.
- 8.8 Every Householder, proprietor, or other person shall dispose of Refuse upon the premises owned or occupied by them by placing or causing the same to be placed in a Waste Roll Cart maintained for that purpose, but not elsewhere.
- 8.9 Notwithstanding any other provision of this Bylaw, plastic bags of the type designed for the disposal of domestic Refuse shall be used for the disposal of Refuse under the following conditions:
- 8.9.1 Plastic bags containing Refuse shall be kept in a Waste Roll Cart for pickup on collection day.
- 8.10 No Person shall place or caused to be placed any Refuse in such a manner that it constitutes a nuisance.
- 8.10.1 For the purpose of this Section, Refuse constitutes a nuisance if it exhibits any of the following characteristics:
- i. a generally offensive odour;
 - ii. a generally offensive appearance;
 - iii. the production of excessive dust, dirt or smoke; or
 - iv. a risk to the health and safety of people;
 - v. attracting rodents, pests, birds and/or animals.
- 8.11 Subject to Section 6.11 and 6.12 except on collection day, all Waste Roll Carts shall be kept and maintained on the premises of the householder or proprietor, and any Waste Roll Cart located on any street in the Town other than on collection day will be in violation of this Bylaw and subject to a penalty as set out in Schedule "C" of this Bylaw.

9. RATES AND CHARGES, OPENING AND CLOSING OF ACCOUNTS

- 9.1 The Town under the provisions of this Bylaw provides for the collection and disposal of solid waste and the provision of recycling services within the Town of Legal as per Schedule "A" of this bylaw.
- 9.2 The rates and charges to be charged for Waste Collection Service, Recycling Service and for processing or disposal shall be as set out, and amended from time to time, in Schedule "C" of this Bylaw.
- 9.3 Waste Collection Service and Recycling Service charges will be billed in accordance with Schedule "C" of this Bylaw.
- 9.4 A Householder shall be responsible for all Fees and Charges from the date of ownership or occupancy of a Dwelling, whichever occurs first.
- 9.5 The Town of Legal requires that new utility account requests or changes for utility services, provided by the Municipality, be placed in the name of the Owner(s) registered on the property title only as per Alberta Land Titles.
- 9.5.1 In the event the property is being occupied by a Tenant, Property Manager, or other Person designated by the Property Owner other than the Owner, a duplicate copy of the utility bill, at the request of the Owner, shall be emailed, as per Schedule "B" and/or mailed to the Tenant, Property Manager, or other Person designated by the Property Owner. The account, however, shall remain the

- responsibility of the Property Owner. Schedule "A" Utility Billing Request Form, of the Town of Legal Water Bylaw as amended from time to time, will be completed and signed only by the Owner if a Tenant, Property Manager, or other Person designated by the Property Owner is requesting utility services provided by the Town.
- 9.5.2 A Utility Bill shall be mailed, or emailed as per Schedule "B", to the Owner(s) and/or Tenant, Property Manager, or other Person designated by the Property Owner showing the current service charges and any penalty amounts owing, payment for the amount due shall be due and payable when the account is rendered with payment to be made to the Town at the office of the Chief Administrative Officer or at such other place as may be designated from time to time by the Council.
 - 9.5.3 Notwithstanding this Section, the Owner remains the Account holder responsible for all debts incurred under that Account.
- 9.6 A Town of Legal utility account must be opened before Waste and Recycle Collection Services by the Town is provided.
 - 9.7 That the Chief Administrative Officer or their designate shall have the right to determine into which classification any waste collection service belongs and the Chief Administrative Officer or their designates decision shall be final and binding on all persons concerned.
 - 9.8 All Utility Bills will be due and payable when rendered by the Town and payments will be made at the address indicated on the Utility Bill or to an agent of the Town.
 - 9.8.1 Payment can be made at the Town Office, the Householder's bank, pre-authorized payment plan or through online banking services. Credit card payments are not accepted.
 - 9.8.2 A Householder is not relieved from paying Utility Charges by reason of non-receipt of a Utility Bill, whatever the reason for non-receipt.
 - 9.9 That in the event a Utility Bill remains unpaid after the date fixed for payment, a penalty, as described in Schedule "C", will be added to the principal outstanding amount thereto and form part of the rates levied.
 - 9.10 In the event that the utility bill remains unpaid by the following billing cycle (30 days for tenants, Property Managers, or other Persons designated by the Property Owner and 60 days for homeowners):
 - 9.10.1 A letter of notice of disconnection will be included with the utility bill indicating payment of arrears is to be made to the Town within fourteen (14) calendar days and payment must be received by 12:00 P.M. (noon).
 - 9.10.2 If the payment is not received by the Town on the date specified on the letter of notice of disconnection, a final notice for disconnection in the form of a door tag will be hand delivered to the property advising the homeowner that a payment due date of forty-eight (48) hours must be made by 12:00 P.M. (noon).
 - 9.10.3 If payment is not received by the Town Office on the date specified on the final notice for disconnection (door tag), the utility services will be discontinued with no further notice.
 - 9.10.4 As per Schedule "C" of this Bylaw, a reconnection fee along with the payment of arrears must be paid prior to reconnection of utility services to the property.
 - 9.11 Any Utility Bill remaining unpaid under this Bylaw will constitute a debt owing to the Town and is recoverable by any or all of the following methods, namely:
 - 9.11.1 by discontinuing any Waste and Recycle Collection Services being supplied to Owner without notice;
 - 9.11.2 by collecting in a like manner as municipal rates and taxes;
 - 9.11.3 by action in any court of competent jurisdiction.
 - 9.12 The Chief Administrative Officer may cancel Waste and Recycle Collection Services to a Householder in the event that a Utility Bill remains unpaid as described in Section 9.10 of this Bylaw.

- 9.13 Commercial, industrial, institutional and multi-family facilities that make private arrangements for the collection and disposal of Refuse shall not be charged the Fees and Charges as described in Schedule "C" of this Bylaw.
- 9.13.1 Subject to Subsection 9.13 Waste Collection, removal and disposal from Commercial Facilities is the sole responsibility and expense of the owner or occupier of the premises.
- 9.14 Closing of Account:
- 9.14.1 A person wishing to close their account must make the request to the Town for the disconnection of service;
- 9.14.2 The Town may continue to levy Waste Collection and Recycle Service charges in accordance with this Bylaw until a Collection Service account is closed in accordance with the provisions of this Bylaw.
- 9.14.3 Utility Bills may be prorated in accordance with the actual number of days service is provided by the Town in the billing period.
- 9.14.4 Where a Utility Bill has been prepaid and Waste Collection and Recycle Service is discontinued, the Town will provide a refund on a prorated basis.
- 9.15 The power to do any of the things provided for in this Bylaw, for the purpose of enforcing payment of any Utility Bill as may be deemed necessary, is hereby delegated to the Chief Administrative Officer.
- 9.16 The user fee charges levied pursuant to this Section apply to all utility account holders, regardless of whether any Refuse or Recycling has been collected from the property by the Collector.

10. COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL AREAS

- 10.1 Industrial wastes must be kept in an area blocked from Public view and stored in such a way that it does not become a public nuisance until such time as it is disposed of.
- 10.2 In certain circumstances where the Collector cannot provide the commercial and/or industrial waste pick up due to type of waste, physical size of the items, and quantity of waste, the Owners and/or occupants of the premises may obtain private commercial and/or industrial containers where contract for collection of refuse, rubbish or industrial waste.
- 10.3 Where waste containers are not accessible, the onus will be on the industry to arrange for disposal at an approved regional landfill.
- 10.4 The area immediately surrounding the premises, such as parking lots, sidewalks, etc. must be kept clean of litter.
- 10.5 Food service outlets which provide take out service of prepared foods must provide an outside refuse receptacle for the use of their patrons and which is separate and different from the one used for the refuse accumulated during the preparation and handling of the food.
- 10.6 The Council or the Chief Administrative Officer reserves the right to control the type and nature of Refuse and industrial waste on any industrial site.
- 10.7 Notwithstanding the provisions of Section 14 of this Bylaw, "Offences & Penalties", certain specific types of Refuse such as cardboard cartons on commercial premises may be disposed of by placing the same in a screened enclosure or container other than a waste receptacle where such a method of disposal has been approved in writing by the Council or their designated agents, and subject to any condition stipulated in such approval.

11. CONSTRUCTION ON DEVELOPMENT SITES

- 11.1 Contractors or Developers are responsible for disposal of their own building waste and construction debris (rubbish).

- 11.2 Debris on sites must be stacked on site so as not to cause a nuisance, fire hazard or injuriously affect the privacy of adjoining properties.
- 11.3 Debris on sites must be contained and not allowed to spill over or accumulate on any street, lane or property.
- 11.4 Contractors or Developers must ensure that any excavating soil and/or debris is not placed on the road or laneway without written permission from the Town. If permission is given, the contractor or developer is responsible for returning the lane or roadway to the previous condition by removal of soil or debris and cleaning the same in an expedient manner.

12. BURNING

- 12.1 No person shall burn, ignite, or cause to be burned or ignited any Refuse, Recyclable Materials or any other material or thing unless permission and approval has been granted from the local authority having jurisdiction (Fire Chief) or the Chief Administrative Officer.
- 12.2 Burning of paper and cardboard is not permissible within the limits of the Town.
- 12.3 Notwithstanding Subsection 12.1, it shall not be an offence under this Section to conduct:
 - 12.3.1 Barbecuing;
 - 12.3.2 Burning in a fireplace that is inside or attached to dwelling;
 - 12.3.3 Fires in contained campground firepits, picnic fireplaces, and stoves in parks and/or on private property in the Town of Legal;
 - 12.3.4 Brush may be burned within the Town after first obtaining permission from the local authority having jurisdiction (Fire Chief) or the Chief Administrative Officer.
 - 12.3.5 Burning of material shall comply to the Town's Land Use Bylaw and Fire Bylaw as amended from time to time.

13. SPRING OR FALL CLEANUPS

- 13.1 Council or its designate may at any time call for Spring or Fall Clean-Ups for special occasions.
- 13.2 The Town, at no extra charge to the residents, will provide these extra pick-ups where the provisions of this Bylaw are met (bagging, boxing, bundling, etc.).
- 13.3 Residents will be so advised of the special pick-ups by way of insertion of advice in the local newspaper, newsletter and/or utility billing at least fourteen (14) calendar days prior to the dates.
- 13.4 The Collector shall have the authority to refuse the pickups if it so deems that the items are too large, heavy, prohibited waste not acceptable to the regional landfill, are construed as Building Construction and Waste, and in such quantities that the Chief Administrative Officer or their delegate deems the pickup a misuse of the program and the Chief Administrative Officer or their designate shall advise the resident in writing of the misuse of the program.
- 13.5 In the event Section 13.4 applies, the Owner shall remove all items at the Owner's expense within seventy-two (72) hours of the date of the notice.

14. OFFENCE AND PENALTIES

- 14.1 The Chief Administrative Officer or their designate or Bylaw Enforcement Officers are hereby authorized to enforce the provisions of this Bylaw.
- 14.2 Any Person who contravenes a provision of this Bylaw is guilty of an offence and is liable to a penalty as set out in Schedule "C" of this Bylaw.
- 14.3 Notwithstanding section 14.2 of this Bylaw, any Person who commits a second or subsequent offence under this Bylaw within one (1) year of committing the first offence is liable to a fine of not less than nor more than double the amount as set out in Schedule "C" of this Bylaw.



- 14.4 A Person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided, is liable to a fine of not less than Two Hundred Dollars (\$200.00) and not more than Ten Thousand Dollars (\$10,000.00).
- 14.5 Under no circumstances will any Person contravening any provision of this Bylaw be subject to the penalty of imprisonment.
- 14.6 Nothing in this Bylaw will be construed as curtailing or abridging the right of the Town to obtain compensation for or to maintain an action for loss of or damage to property from or against the Person or Persons responsible.
- 14.7 In addition to any other remedy or penalty, the Chief Administrative Officer may refuse to collect Refuse from a Residence if the Householder of that Residence is in breach of this Bylaw.

15. VIOLATION TAG

- 15.1 A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Tag to any Person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 15.2 A Violation Tag may be issued to such Person:
 - 15.2.1 personally;
 - 15.2.2 by registered mail sent to the postal address of the Person, as shown on the Tax Assessment Roll or on the Certificate of Title for the property; or
 - 15.2.3 by leaving it with a Person apparently over eighteen (18) years of age at the place of residency of the Person to whom the Violation Tag is addressed.
- 15.3 The Violation Tag will be in a form approved by the Chief Administrative Officer and will state:
 - 15.3.1 the name of the Person to whom the Violation Tag is issued;
 - 15.3.2 the description of the offence and applicable Bylaw section;
 - 15.3.3 the appropriate penalty for the offence as specified in Schedule "C" of this Bylaw;
 - 15.3.4 that the penalty will be paid within thirty (30) days of the issuance of the Violation Tag in order to avoid prosecution;
 - 15.3.5 any other information as may be required by the Chief Administrative Officer.
- 15.4 Where a contravention of this Bylaw is of a continuing nature, further Violation Tags may be issued by the Bylaw Enforcement Officer, provided however, that no more than one (1) Violation Tag will be issued for each day that the contravention continues.
- 15.5 Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Violation Tag.

16. VIOLATION TICKET

- 16.1 In those cases where a Violation Tag has been issued and if the penalty specified on a Violation Tag has not been paid within the prescribed time, then a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act, RSA 2000, c. P-34*, as amended or repealed and replaced from time to time.
- 16.2 Notwithstanding Section 16.1 of this Bylaw, a Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-34*, as amended or repealed and replaced from time to time, to any Person who the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 16.3 Where a Violation Ticket has been issued to a Person pursuant to this Bylaw, that Person may plead guilty to the offence by submitting to a Clerk of the Provincial Court, the

specified penalty set out on the Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.

- 16.4 Notwithstanding Section 16.3, for any offence of this Bylaw the Bylaw Enforcement Officer has the discretion to require a mandatory court appearance by the Person to whom the Violation Ticket was issued.

16. SUMMARY CONVICTIONS

- 16.1 Any person violating any of the provisions of this Bylaw or any other person responsible for such violation of the said Bylaw, shall be liable for the offence and penalties as specified in Schedule "C" of this Bylaw.

17. SEVERABILITY


- 17.1 Should any provision of this Bylaw be invalid then such provision shall be severed and the remaining Bylaw shall be maintained.

18. GENERAL

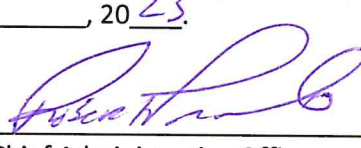
- 18.1 Nothing in this Bylaw will operate to relieve any Person from complying with any Federal, Provincial or other Town of Legal law, order, regulation or bylaw.
- 18.2 Bylaw #10-2022, a bylaw to establish the terms and conditions for the provision of waste collection and recycle services in the Town of Legal, is hereby repealed.

THIS BYLAW WILL COME INTO EFFECT UPON RECEIVING THIRD READING.

READ A FIRST TIME THIS 16 DAY OF January, 2023.




Mayor



Chief Administrative Officer

READ A SECOND TIME THIS 16 DAY OF January, 2023.

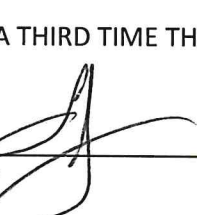


Mayor



Chief Administrative Officer

READ A THIRD TIME THIS 16 DAY OF January, 2023.



Mayor



Chief Administrative Officer

SCHEDULE "A"

COLLECTION SERVICES AND RECYCLING SERVICE ELIGIBILITY GUIDELINES AND LIST OF MATERIALS ACCEPTED FOR RECYCLING ("Recyclable Materials")

1.1 Eligibility Provision:

- 1.1.1 Compulsory Service: Household within the Urban Service Area who receive a water and/or sewer Utility Bill from the Town will receive Waste Collection and Recycle Collection Services automatically and an account will be established and effective as of the date of ownership or occupancy whichever first occurs. This excludes Institutional and Commercial Facilities.
- 1.1.2 Utility Account: Owners within the Urban Service Area who do not receive a water and/or sewer Utility Bill from the Town may apply for Waste Collection and Recycle Collection Services in accordance with Part 9 of this Bylaw.

2.1 List of Materials Accepted for Recycling

- 2.1.1 "Clean Plastic Containers" means a designated type of Recyclable Materials including aluminum, steel and tin cans, milk cartons and tetra packs, and rigid plastic containers (#1-7), such as plastic bottles with twist off tops, yogurt containers, margarine containers or other similar material designated by the Chief Administrative Officer from time to time; and
- 2.1.2 "Paper Materials" means a designated type of Recyclable Material including office paper, corrugated cardboard, newsprint, box board, magazines, catalogues, flyers, cereal boxes, telephone or other soft cover books, paper egg cartons, shredded paper or other similar material designated by the Chief Administrative Officer from time to time.



SCHEDULE "B"
UTILITIES EMAIL REQUEST FORM

If you wish to receive your utility bill by email only, please complete this form and return to the Town of Legal Office:

NAME: _____	UTILITY ACCOUNT: _____
CIVIC ADDRESS: _____	PHONE NUMBER: _____
LEGAL, AB TOG 1L0	ALTERNATE PHONE #: _____
OWNER/OCCUPIER EMAIL ADDRESS: _____	

- Please note that if there are any changes to the email address, it is the responsibility of the Owner and/or Occupier to inform the Town accordingly.
- A Consumer is not relieved from paying Utility Charges by reason of non-receipt of a Utility Bill, whatever the reason for non-receipt, as per the bylaws of the Town of Legal.
- Payment due dates do not change. Penalties still apply if payment is late for any reason.

AUTHORIZATION:

I agree that I wish to receive my utility bill via email only and that I will inform the Town of Legal if this email address is no longer valid.

NAME OF APPLICANT *(Please Print)*

SIGNATURE OF APPLICANT

DATE

The information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act (FOIP), Revised Statutes of Alberta 2000, Chapter F-25, and is used solely for purposes relating to utility accounts with the Town of Legal.



SCHEDULE "C"

WASTE AND RECYCLE COLLECTION RATES

WASTE COLLECTION SERVICES

The bi-monthly cost of waste collection from dwellings, multiple dwellings, commercial, industrial and institutional properties within urban service areas of the Town shall be levied as follows, and the Council may amend from time to time:

Waste Collection: One (1) pick-up per week
Entire Town: Thursdays

Residential:

	Charge	Application
Per 65 Gallon Waste Roll Cart	\$30.00	Bi-monthly, per cart
Per 65 Gallon Waste Roll Cart	\$15.00	Monthly Billing, per cart (Tenants, Property Managers, or other Persons designated by the Property Owner)
2 nd and Additional 65 Gallon Waste Roll Cart(s)	\$9.00	Monthly, per cart
Replacement Waste Roll Cart	\$100.00	Per Cart

Commercial and Institutional:

	Charge	Application
6 yd bin	\$337.74	Per bin, bi-monthly
6 yd bin	\$168.87	Per bin, monthly (Tenants, Property Managers, or other Persons designated by the Property Owner)
4 yd bin	\$225.16	Per bin, bi-monthly
4 yd bin	\$112.58	Per bin, monthly (Tenants, Property Managers, or other Persons designated by the Property Owner)
2 yd bin	\$112.58	Per bin, bi-monthly
2 yd bin	\$56.29	Per bin, monthly (Tenants, Property Managers, or other Persons designated by the Property Owner)

Late Payment Penalty: 10% per month

Waste Disposal Site (Roseridge Waste Management Services Commission):

	Charge	Application
Residential Landfill Disposal Permit	\$5.00	For up to 1,000 kg (2,200 lbs) per calendar year (January to December), excluding commercial, industrial and institutional properties

Overage fees as reported by Roseridge Waste Management Services Commission:

	Charge	Application
Overage Fees - 1,001 kg - 2,500kg	\$41.66	Per 1,000 kg (2,200 lbs)
Overage Fees - 2,501 kg and over	Fees specified by Roseridge Waste Management Services Commission	Charged directly to user by Roseridge Waste Management Services Commission on location at waste disposal site at time of waste disposal

Commercial, industrial, and institutional properties must contact Roseridge Waste Management Services Commission to set-up an account to access the landfill.

RECYCLE COLLECTION SERVICES

The bi-monthly cost of recycle collection from dwellings, multiple dwellings, commercial, industrial and institutional properties within urban service areas of the Town shall be levied as follows:

Recycle Collection: One (1) pick-up per week (as in agreement with the contracted company)
 Entire Town: Tuesdays

Residential:

	Charge	Application
Residential Dwelling	\$7.00	
Residential Dwelling	\$3.50	Monthly Billing (Tenants, Property Manager, or other Person designated by the Property Owner)
Apartments	\$7.00	Each apartment
Senior Citizen Lodge	\$10.00	
Schools	\$10.00	
5002 50 Ave	\$35.00	5 residential
4811 47 St	\$10.00	Per unit
4807 47 St	\$5.00	Per unit
5015 48 St	\$49.00	7 residential

Commercial:

	Charge	Application
Commercial	\$10.00	Per store or office
Community Hall	\$30.00	
4727 50 Ave.	\$34.00	2 commercial, 2 residential
4743 50 Ave.	\$10.00	
4925 50 Ave	\$44.00	3 commercial, 2 residential

Late Payment Penalty: 10% per month

Penalties:

VIOLATIONS	SECTION	1ST OFFENCE	2ND & SUBSEQUENT OFFENCE
Improper Waste Receptacles and/or bundling, bagging	5, 7, 8.9	\$100.00	\$200.00
Prohibited Waste	5.1	\$500.00	\$1,000.00
Not keeping refuse confined	6.4	\$100.00	\$200.00
Improper location of Waste Roll Cart(s)	6.10, 6.11	\$100.00	\$200.00
Improper storage of Containers (not on private property or in view from a roadway, highway, boulevard, lane or public property)	6.12	\$100.00	\$200.00
Illegal Dumping within the Town of Legal	6.16.2, 6.17, 8.5	\$200.00	\$400.00
Parking a vehicle within one (1) meter of a Waste Roll Cart	8.4	\$100.00	\$200.00
Food Outlets not supplying Receptacles	10.5	\$200.00	\$400.00
Construction Sites not disposing properly	11	\$200.00	\$400.00
Igniting waste or materials	12.1	\$200.00	\$400.00
Person who is guilty of an offence not otherwise subject to a specified penalty pursuant to this Bylaw	14.4	\$200.00	\$10,000.00

