

BYLAW 8-2022

A BYLAW OF THE RESORT VILLAGE OF COCHIN IN THE PROVINCE OF SASKATCHEWAN TO REGULATE THE MANAGEMENT, COLLECTION AND DISPOSAL OF WASTE

THE COUNCIL OF THE RESORT VILLAGE OF COCHIN ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as The Waste Management Bylaw.

Purpose

2. The purpose of this Bylaw is to protect the health and welfare of people and provide for the abatement of nuisances and protection of the environment by regulating and monitoring the collection, handling and disposal of waste and recyclable material within the Resort Village.

Definitions

3. In this Bylaw:

"automated collection" means the mechanical collection of waste in carts using vehicles specially designed for collection from such carts;

"bulky waste items" means items that cannot fit into a cart and include but are not limited to items such as mattresses, sofas, fridges, stoves and box springs;

"cart" means household waste carts which are 360 litres (approximately 0.4 cubic metres) in volume, on wheels and designed for automated collection;

"Resort Village" means the municipal corporation of the Resort Village of Cochin or the geographical area located within the boundaries of the Resort Village of Cochin, as the context requires;

"resort village waste service" means household waste service, the Resort Village may provide, from time to time, for collection of waste from designated properties for transportation to a disposal site;

"collection day" means the day upon which the Resort Village shall provide the Resort Village waste service to a designated property;

"collection schedule" means the schedule of dates when Resort Village waste service is to be provided to the designated properties in a specified area of the Resort Village;

"collector" means a person employed by the Resort Village or by a Contractor to the Resort Village to collect waste;

"construction and demolition waste" means waste produced in the process of construction, demolition, or repairs to buildings and real property improvements and shall include, but not be limited to, earth, vegetation, and rock displaced during the process of construction and demolition;

"Council" means the Council of the Resort Village;

"dangerous object" means an object or material which presents a health or safety risk to a person including sharps waste, general medical waste, broken glass, fluorescent tubes, or sharp edged tin cans;

"designated property" means a building or buildings, intended for residential use with no more than four dwelling units, on a separately assessed parcel of land;

"dwelling" means a building used or intended for residential occupancy;

"Director" means the Chief Administrative Officer for the Resort Village or his or her designate;

"general medical waste" means non-hazardous medical waste and includes soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, labcoats and aprons, tubings, filters, towels and disposable sheets, but excludes biomedical waste;

"household hazard waste" means solid wastes from homes and residences that have properties that make them dangerous or capable of having a harmful effect on human health and the environment;

"household waste" means the types of unwanted waste originating from domestic activities at a residence as listed in Schedule "A" to this Bylaw that are set out for household waste service but does not include recyclable material or other material prohibited by this Bylaw;

"household waste cart" means the approved cart by the Resort Village to designated properties for the storage of household waste;

"household waste service" the resort village waste service for collection of household waste from designated properties for transport to a disposal site;

"industrial premises" means a premises principally used for manufacturing, processing, assembling, cleaning, servicing, repairing, testing, storage, distribution, or warehousing of materials, goods or equipment;

"industrial waste" means waste generated by commercial or industrial activities that presents health, safety or environmental concerns, and includes, but is not limited to, lime, sulfur, asbestos, contaminated soils,

empty chemical containers and drums, carbon, acids, caustics, sludge, and industrial sump water, but excludes household waste, household hazardous waste and biomedical waste;

"institutional premises" means a premises principally used as a temporary place of abode and includes a hotel, motel, school, church, prison, senior citizens home, special care home, community home and hospital but does not include a residence as defined in this Bylaw;

"non-designated property" means any property that is not a designated property;

"occupant" means the person, and includes corporate and legal representative, who is in charge of a residence or property either as a resident or property manager;

"owner" means the registered owner of the property as registered at Information Services Corporation;

"person" means a person as defined in *The Interpretation Act, 1995* (Saskatchewan);

"property" means a parcel of land registered at Information Services Corporation;

"putrescible" means waste that is capable of decomposing with sufficient rapidity so as to cause a nuisance from odors or gases, or that is likely to attract birds, insects, snakes, rodents, or other animals, or that may otherwise be a health risk;

"recyclable material" means material collected for the purpose of recycling or reuse by ratepayers at transfer station as designated in Schedule "A";

"residence" means a dwelling of any type as defined in the Zoning Bylaw;

"scavenge" means to search through, pick over or remove objects or waste set out for collection;

"special collection area" means an area determined by the Director where, because of special circumstances, normal collection practices are impractical;

"transfer station" means the Provincially approved transfer station operated by the RM of Meota No. 468 for the disposal of waste located at SE36-47-17-W3

"unacceptable waste" means waste listed in Schedule "B" to this Bylaw;

"waste" means any discarded organic or inorganic material, including

household waste, recyclable material, household hazardous waste, bulky waste items and unacceptable waste that:

- (i) the owner or possessor thereof does not wish to retain;
- (ii) must be disposed of due to health reasons, or;
- (iii) must be disposed of to ensure the amenity of the area in which it exists is not adversely affected;

"waste container" means any container approved for waste collection for non- designated properties;

Administration

- 4. The Director is authorized to:
 - (a) determine whether a property is a designated property;
 - (b) determine the types of resort village waste services provided;
 - (c) approve or set specifications for carts;
 - (d) specify the types of waste accepted;
 - (e) specify the quantities, volume and weight limits and types of waste eligible for collection as part of the resort village waste service;
 - (f) arrange schedules and processes for the resort village waste service;
 - (g) grant approvals and permissions as set out this Bylaw;
 - (h) establish systems for billing and collecting rates, fees and charges;
 - (i) carry out inspections required to determine compliance with this Bylaw;
 - (j) take any steps or carry out any actions required to enforce this Bylaw;
 - (k) establish and approve policies and procedures with respect to the resort village waste service;
 - (l) take any steps or carry out any actions required to remedy a contravention of this Bylaw;
 - (m) make such other decisions as may be required to carry out the purpose of this Bylaw in accordance with applicable legislation; and
 - (n) further delegate the administration and enforcement of this Bylaw to Municipal Enforcement Officers.

COLLECTION AND DISPOSAL OF WASTE

Accumulation of Waste Prohibited

5. No owner or occupant of any land or building shall allow waste of any kind to accumulate in or on the land or building, except as permitted in this Bylaw.

Depositing Wastes on Public or Private Property

6. No person shall dispose of wastes anywhere in the Resort Village other than in a cart, waste container, at the Transfer Station or where determined by the Director.
7. A person who has disposed of waste on any land contrary to the provisions of this Bylaw, shall remove the said waste upon being directed to do so by the owner or occupant of the land, the Director, a Medical Health Officer, Public Health Officer, or a Peace Officer.
8. If the identity of a person who has placed waste on land contrary to the provisions of this Bylaw cannot reasonably be ascertained, the owner or occupant of the land shall remove the waste or cause the waste to be removed upon being directed to do so by the Director, a Medical Health Officer, Public Health Inspector or a Peace Officer.

RESORT VILLAGE WASTE SERVICES

Designated Properties

9. The Resort Village shall provide all designated properties with resort village waste services and all designated properties shall use resort village waste services.
10. Resort Village waste services shall occur based on a collection schedule, to be determined and amended from time to time, by the Director. the Resort Village shall provide household waste services to each designated property as per Waste Collection Schedule
11. Notwithstanding any provisions in this Bylaw, in the event of circumstances beyond the control of the Resort Village, resort village waste services may be temporarily suspended.
12. Designated properties will be assigned and delivered carts.
13. Where an owner or occupant of a designated property requests additional collections, the owner or occupant may make arrangements with the Director and approval of Council. Such additional collection costs will be the responsibility of the owner or occupant and billed accordingly.

Waste Containers

14. The owner or occupant of a designated property shall ensure that carts assigned to that designated property:
 - (a) are stored in a location at the designated property that is under the care and control of the owner or occupant of that designated property;
 - (b) are not stored on Resort Village property;
 - (c) are used to set out waste for resort village waste services;
 - (d) remain with that designated property and are used for only those purposes permitted in this Bylaw;
 - (e) are kept clean and sanitary;
 - (f) are maintained in good condition;
 - (g) are not damaged or altered in any way, including any alteration of the exterior; and
 - (h) are available to the Resort Village, its contractors or agents, within a reasonable time, for the purposes of inspection, maintenance or repair.

Handling and Disposition of Waste and Recyclable Material

15. An owner or occupant shall only store and set out waste generated from the property of that owner or occupant.
16. No person shall deposit waste in any cart or waste container without the consent of the owner or occupant of the property where such cart or waste
- container is located or assigned.
17. No persons other than
 - (a) the owner or occupant of a property to which a cart or waste container is located;
 - (b) a person permitted by the owner or occupant of a property to which a cart or waste container is located; or
 - (c) the Resort Village of Cochin:shall remove any waste from a cart, waste container, a Transfer Station or a waste collection vehicle.

18. Every person receiving resort village waste services shall ensure the waste is prepared and placed in accordance with this Bylaw.
19. The owner or occupant of a designated property shall:
 - (a) thoroughly drain all household waste and wrap and securely tie it in paper or place it in a securely tied plastic bag;
 - (b) place fully quenched ashes in securely tied paper or plastic bag prior to disposal;
 - (c) ensure all household waste is bagged or bundled before placing in the cart;
 - (d) ensure that all sharp or pointed objects are wrapped or contained;
20. No person shall:
 - (a) pile waste above the top of a cart or waste container;
 - (b) overfill a cart or waste container so that the waste may fall to the ground;
 - (c) overfill a cart so that the lid cannot be fully closed;
 - (c) place waste on top of the cart or waste container;
 - (d) place waste on the ground near a cart or waste container; or
 - (e) permit or allow waste stored or set out for city waste service to create offensive odors or become untidy.
21. Waste may not be collected from a designated property if the cart:
 - (a) is unclean and unsanitary;
 - (b) is improperly placed;
 - (c) is placed at a designated property other than the property to which that container was assigned;
 - (d) is not placed out at the scheduled time for collection;
 - (e) is not accessible by the waste collection vehicle for pickup;
 - (f) contains waste that is not properly prepared or is unacceptable;
 - (g) in combination with its contents, exceeds the maximum allowable weight of 136 kilograms; or

- (h) is not an approved cart.

Waste Collection from Carts

22. Unless otherwise directed by the Director, every owner or occupant receiving resort village waste services shall place carts:
- (c) to not obstruct traffic in any way;
 - (d) in front of the designated property where the waste was generated;
 - (e) on the street with wheels against the curb, or as close as possible to the curb;
 - (f) during the winter months, on the street with wheels as close as possible to the edge of the snow/ice windrow;
 - (d) in an upright street level position with the arrows on the cart lid pointing towards the street;
 - (e) to allow a minimum 1.20 metres clearance, on either side, between the carts and any other obstacle or vehicle;
 - (f) to allow a minimum 3.6 metres clearance from any overhanging object;
23. Where the Director has determined that placement of carts for front street pickup is difficult, a special collection plan for cart placement and pickup will be provided to those owners or occupants affected and those owners or occupants shall store and set out carts in accordance with the special collection plan and this Bylaw.
24. No person shall set out, cause to be set out or permit to be set out the following or similar type items for household waste services from a designated property:
- (a) bulky waste items;
 - (b) discarded automobile waste including automobile parts, tires, fluids, batteries, and other private vehicles;
 - (c) tree limbs, branches and twigs, whole shrubs or bushes, and portions of hedges;
 - (d) fences, gates, and other permanent and semi-permanent fixtures on the premises;
 - (e) building materials and building wastes;
 - (f) animal carcasses or remains and cervid offal;
 - (g) dirt, rocks, cement, bricks, asphalt, gravel, sand and scrap metals;

- (h) dangerous objects;
 - (i) hot ashes; or
 - (j) industrial, general medical and household hazardous waste.
- 25 No person shall set out, cause to be set out, or permit to be set out from a designated property any material for recycling.

Non-Designated Properties

General Provisions

26. Every owner of a non-designated property shall ensure that there are waste storage facilities on the non-designated property that are:
- (a) available to the owner and occupants of the non-designated property;
 - (b) sufficient in size to store all waste generated at the non-designated property considering the volume of waste generated on the non- designated property; and
 - (c) emptied with sufficient frequency to meet the requirements of property.
27. Every owner of a non-designated property shall have a waste management plan for the property which shall include:
- (a) an arrangement for waste storage under the care and control of the owner or occupant(s) of the non-designated property that is accessible for use by the owner or occupant(s) of the non-designated property;
 - (b) an arrangement for regular removal and disposal of waste to an appropriate disposal site.
28. Every owner of a non-designated property shall, upon request by the Resort Village, provide a copy of the waste management plan for that non- designated property.
29. Every owner of a non-designated property shall remove waste from the property in such a manner and with such frequency that the waste storage area meets the following requirements:
- (g) the waste storage area shall be kept clean and tidy;
 - (h) the waste storage area shall be secured against theft or loss;
 - (i) the waste storage area shall be maintained in good condition;
 - (j) the waste storage area shall not create offensive odors; and

- (k) the waste storage area shall not attract insects, rodents, vermin or other disease vectors.

Other Waste

- 30. (a) Any owner or contractor carrying out the construction, alteration, or demolition of building, structure, or landscaping on any property shall:
 - (i) place all waste into an appropriate sized waste container or enclosure;
 - (ii) in a timely manner, dispose of all waste resulting from the construction, alteration or demolition so as to ensure there is no unreasonable accumulation of waste on the property during the construction, alteration or demolition;
 - (iii) take all reasonable steps as may be necessary to prevent the waste from being dispersed, by wind or in any other manner, on or around the property or surrounding properties during the construction, alteration or demolition; and
 - (iv) upon completion of the construction, alteration, or demolition, clear the property of all waste and litter.
- (b) If such waste is not removed by the owner or contractor, the Resort Village may remove the waste, and the costs of doing so are a debt due to the Resort Village by the owner or contractor.
- 31. (a) No owner or operator of any vehicle leaving property where the construction, alteration or demolition of a building, structure or landscaping is occurring shall:
 - (i) allow any earth or waste to be deposited upon a street or sidewalk by or from such vehicle; or
 - (ii) fail to remove from the street or sidewalk any and all earth or waste deposited by or from such vehicle.
- (b) If such earth or waste is not removed from the street or sidewalk by the owner or operator of the vehicle, the Resort Village may remove the earth or waste, and the costs of so doing are a debt due to the Resort Village by the owner or operator.

Conveyance of Waste Through the Resort Village

- 32 (a) No person who transports or causes to be transported any waste in the Resort Village shall allow the waste or any portion of it to escape from the vehicle.
- (b) No person shall transport or cause to be transported any waste in the Resort Village unless proper measures, including at

least one of the following, are taken to prevent the waste or any portion of it from escaping from the vehicle:

- (i) the waste is in a covered container;
- (i) the waste is covered with a tarpaulin or other suitable covering; or
- (ii) the waste is securely tied down or fastened.

TRANSFER STATION FACILITY

- 33. No person shall be permitted to enter the transfer station facility except a person operating a vehicle for the purpose of delivering waste.
- 34. (a) The hours of operation of the Transfer Station Facility shall be determined by the Director and posted at the Transfer Station Facility.

(b) No person shall deliver any waste to the Transfer Station Facility except during the hours of operation, unless otherwise authorized by the Director.
- 35. Every person who attends at the Transfer Station Facility shall:
 - (a) promptly with all instructions, directions and signs;
 - (b) remain at the waste management facility only so long as reasonably required to unload the waste contained in the vehicle;
 - (c) only deliver waste to the Transfer Station Facility that is permitted for disposal in the RM of Meota No. 468 Permit to Operate issued by the Province of Saskatchewan; and
 - (d) unless other arrangements have first been made with the Resort Village, pay the applicable fee for disposal at the Transfer Station.
- 36. The Resort Village may deny entry to the Transfer Station Facility if:
 - (a) the person requesting entry has neglected or refused to pay any fees assessed pursuant to this Bylaw;
 - (b) the person requesting entry has waste that is not accepted at the transfer station; or
 - (c) the person requesting entry is using abusive or threatening language or gestures, or otherwise behaving in an unsafe manner.
- 37. No person shall remove waste from the transfer station without the written consent of the Director.

OFFENCES AND PENALTIES

Offences

38. Every person commits an offence who:

- (a) allows waste of any kind to accumulate on or in any land or building other than as permitted in this Bylaw;
- (b) prepares, places or disposes of waste other than as permitted in this Bylaw;
- (c) fails to store, maintain, and keep clean and sanitary assigned carts to a designated property;
- (d) uses or causes to be used a waste cart for purposes other than those permitted in this Bylaw;
- (e) being a person other than the owner, operator or occupant of a property to which a cart or waste container are located:
 - (i) disturbs or disrupts the contents of a cart or waste container;
 - (ii) removes any waste, object or material from a cart or waste container;
or
 - (iii) deposits waste in any cart or waste container without the consent of the owner or occupant of the property;
- (f) as an owner of a non-designated property, fails to ensure waste storage arrangements are made per requirements of this Bylaw;
- (g) being the owner or operator of a vehicle used in carrying out the construction, alteration or demolition of a building, structure or landscaping of any property, allows any earth or waste to be deposited upon a street or sidewalk by or from such vehicle, or fails to remove such earth or waste from the street or sidewalk;
- (h) fails to take proper measures to prevent waste from escaping from a vehicle used to transport waste, or allows waste to escape from a vehicle used to transport waste; and
- (k) fails to comply with all instructions, directions, signs and regulation pertaining to operations at the designated Waste Management Facility.

39. No person shall:

- (a) fail to comply with an order made under this Bylaw;

- (b) obstruct or hinder the Director or a Municipal Enforcement Officer acting under this Bylaw; or
- (c) fail to comply with any other provision of this Bylaw.

Penalties

- 40 (1) Any person who contravenes a provision of Bylaw 8-2022 is guilty of an offence and liable on summary conviction to a fine:
- (a) for the first offence, of \$100.00;
 - (b) for a second offence, \$200.00; and
 - (c) for a third or subsequent offence, \$300.00.
- (2) for a corporation
- (i) first offence, of \$1,000;
 - (ii) second offence, of \$2,500; and
 - (iii) third or subsequent offence, of \$5,000.

General Penalty

41. Except where a penalty is specifically provided in this Bylaw, every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine of not more than \$10,000.00;
 - (b) in the case of a corporation, to a fine of not more than \$25,000.00; and
 - (c) in the case of a continuing offence, to a maximum daily fine of not more than \$2,500.00 per day.

Other Provisions

42. A conviction of an offence of failing to comply with an order does not relieve the person convicted from complying with the order and the convicting judge or justice may, in addition to any fine imposed, order the person to do any act or work, within a specified time, to comply with the order with respect to which the person was convicted.
43. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs for which he is liable under the provisions of this Bylaw.
44. Nothing in this Bylaw relieves a person from complying with any federal or provincial law or regulation, other bylaw or any requirements of any lawful permit, order, consent

or other direction.

45. If a court or tribunal of competent jurisdiction declares any portion of this Bylaw to be illegal or unenforceable, that portion of the Bylaw will be considered to be severed from the balance of the Bylaw, which will continue to operate in full force.
46. Notwithstanding the provisions of this Bylaw, the Director may suspend or discontinue the collection of household waste if the owner or occupant of a designated property contravenes a provision of this Bylaw.
47. Any Schedule to this Bylaw may be amended when deemed necessary, by resolution of Council.
48. Bylaw No. 10/88 and Bylaw No. 2-18 and any amendments thereto are hereby repealed.
50. This Bylaw shall come into force and take effect on the date of the final passing thereof.

(SEAL)

MAYOR – Harvey Walker

ADMINISTRATOR – Landon Chambers

Read a first time
this ___ day of September, 2022

Read a third time and adopted
this ___ day of October, 2022

Read a second time
This ___ day of October, 2022

Landon Chambers, Administrator

SCHEDULE "A"

HOUSEHOLD WASTE

The following items are the types of materials that would be considered household waste for the purposes of this Bylaw:

- (a) Plastics not included in the list of recyclable materials. Such plastics would include Styrofoam (egg cartons, packaging, etc.), chip bags, cellophane, food wrap, soiled plastic, clear food containers, dishes, cutlery, bubble wrap, strapping, string, toothpaste tubes, antifreeze containers, toys, wading pools, garden hoses, plastic pipe, outdoor lawn furniture, clothes hangers.
- (b) Paper not described in the list of recyclable materials. Such paper would include disposable diapers, dirty or greasy paper or cardboard, sanitary tissues, soiled paper towels, spiral containers (frozen juice cans, powdered drink containers, waxed or plasticized paper (pet food bags), confetti paper and heavily dyed or coloured construction paper.
- (c) Metal such as foil wrap and clothes hangers.
- (d) Putrescible or food wastes, table scraps, spoiled food, peels, etc.
- (e) Glass such as jars, bottles, vases, window panes, etc.
- (e) Other items such as clothing, shoes, floor sweepings, sawdust, vacuum cleaner bags, animal waste, kitty litter and ashes.

RECYCLABLE MATERIALS

2. The following items are considered recyclable materials for the purposes of this Bylaw:
- (a) Corrugated cardboard
 - (b) Boxboard
 - (c) Paper such as newsprint, polycoat, fine paper, magazines, catalogues, soft cover books, photocopier paper, etc.
 - (d) Aluminum and household tin cans, aluminum foil and pie plates
 - (e) Provincially legislated beverage containers like milk cartons and jugs, juice cartons, boxes and tetra-pak containers
 - (f) Recyclable plastic containers #1 through #7 that have contained non-hazardous waste products
 - (g) Clean plastic bags, clean plastic food wrap and plastic product wrap

SCHEDULE "B"

UNACCEPTABLE WASTES

1. The following items are considered household hazardous wastes for the purposes of this Bylaw:
 - (a) Adhesives - contact cement, caulk, sealer, carpet and linoleum adhesives, glue
 - (b) Aerosols - hair spray, insect repellent, lubricant spray, furniture cleaner
 - (c) Automotive - used engine oil, used engine oil filters, antifreeze, batteries, carburetor cleaners, oil fuel, windshield cleaner
 - (d) Cleaners - oven cleaner, toilet bowl cleaner, glass cleaner, spot remover, disinfectants, car wax
 - (e) Corrosives - drain cleaner, engine degreaser, ammonia, battery acid, sulfuric acid
 - (f) Fuels - gasoline, diesel, kerosene, lamp oil, oil/gas mixture
 - (g) Mercury - mercury, thermometers, thermostats
 - (h) Oxidizers - chlorine, bleach, pool chemicals, fertilizers, hydrogen peroxide, septic tank chemicals
 - (i) Poisons - lawn herbicides, garden chemicals, rat poison, gopher killer, insecticides
 - (j) Solvents - paint thinner, acetone, varsol, alcohol, benzene, xylene, naphtha

2. The following items are other unacceptable wastes for the purposes of this Bylaw:
 - (a) Paint
 - (b) Electronics
 - (c) Automotive batteries, tires, and propane cylinders
 - (d) Used oil/antifreeze and used oil filters
 - (e) Fluorescent bulbs
 - (f) Yard/garden waste and compost