

**BYLAW #509-16  
VILLAGE OF HUSSAR**

**A BYLAW TO PROVIDE FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE AND REFUSE IN THE VILLAGE OF HUSSAR**

WHEREAS, Section 7 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto, authorizes Council to pass bylaws respecting services provided by the municipality,

AND, the Village of Hussar provides garbage collection and removal services,

THEREFORE, the Council of the Village of Hussar in the Province of Alberta duly assembled, hereby enacts as follows:

**PART I: BYLAW TITLE**

- 1.1 This bylaw shall be known as the "Garbage Collection Bylaw."

**PART II: DEFINITIONS**

- 2.1 *Bylaw Officer* means each and every member employed and duly appointed as a Bylaw Enforcement or Peace Officer within the Village.
- 2.2 *Council* means the council of the Village of Hussar.
- 2.3 *Collection Day* means the day or days during each week on which garbage is regularly collected from a specific premises, together with the twelve (12) hour period immediately preceding and immediately following that day.
- 2.4 *Commercial Premises* means café or restaurant, warehouse, wholesale or retail business place, office building, garage or service station, factory or industrial plant, and any other building or premises except a dwelling.
- 2.5 *Dwelling* means a building occupied for residential purposes.
- 2.6 *Garbage* means discarded ashes, bottles, metal scraps, metal cans or tins, crockery, glass, grass cuttings and other garden refuse, cloth, paper, food and food waste, wrappings, sweepings, and other items of household refuse, but does not include animal excrement or industrial waste.
- 2.7 *Garbage Can* means a receptacle constructed of non-corrosive durable metal or plastic hold household garbage.

- 2.8 *Garbage Collection Agent* means the person or firm appointed by the Village for the purpose of collecting and disposing of garbage and refuse.
- 2.9 *Garbage Stand* means a wooden or metal stand or enclosure designed to hold all garbage cans required by a premises for which the stand is provided, and which shall be so designed as to keep all garbage cans in an upright position at all times, and protected from interferences from dogs and other animals.
- 2.10 *Householder* means any person occupying any dwelling or place of residence, but shall not include any person who is merely a boarder, roomer, or lodger therein.
- 2.11 *Industrial Waste* means material from:
- a. excavations,
  - b. lot clearing,
  - c. building construction, repairs, alteration or maintenance,
  - d. debris from any building removed or destroyed by fire, flood or contamination,
  - e. material from manufacturing processes,
  - f. dead animals,
  - g. waste from garages or service stations,
  - h. condemned matter or waste from factories or other works, and
  - i. any other similar material other than human or animal excrement or garbage.
- 2.12 *Premise* means any residential dwelling or commercial premises that receives garbage collection.
- 2.13 *Proprietor* means the occupant of a commercial premises.
- 2.14 *Village* means the Village of Hussar.

### PART III: GENERAL REGULATIONS

- 3.1 No householder, proprietor or other person within the Village shall dispose of garbage except in accordance with this Bylaw.
- 3.2 No person other than a lawful user thereof, or any authorized employee of the Village or garbage collection agent shall open any garbage can or remove anything therefrom, or in any way disturb the contents thereof; nor shall any person handle, interfere with, or in any manner disturb any garbage of any kind put out for collection or removal.

#### PART IV: GARBAGE COLLECTION

- 4.1 There is a three bag limit for garbage. The owner or occupant of every premises shall provide sufficient garbage cans to contain the garbage generated from those premises during the period between garbage collection days.
- 4.2 Where any premises is served by a lane or alley, all garbage from such premises shall be placed for collection at a location within 5 feet or 1.5 meters of the lane, but not in the lane.
- 4.3 Where any premises is not served by a lane or alley, or the lane or alley is deemed inaccessible, all garbage from such premises shall be placed for collection at location as close as possible to the travelled portion of an adjacent street, but not on a sidewalk or in such location as to interfere in any way with vehicle or pedestrian traffic.
- 4.4 Where garbage for collection is stored within any structure, fence or other enclosure, direct access to the garbage cans or bags from the lane shall be provided in every case.
- 4.5 Garbage shall be at the pickup location by 8:00 a.m. on collection day.
- 4.6 Collection day shall be once a week on a day determined by the Village. The Village will provide notice to residents of any changes to collection days at least four weeks prior to the change taking place whenever possible.
- 4.7 The Garbage Collection Agent shall not enter any dwelling or commercial premises for the purpose of garbage collection.
- 4.8 The Village will not collect any designated recycle items. These items may be taken to the Transfer Site by Village residents.

#### PART V: GARBAGE CONTAINERS

- 5.1 No person shall place or keep any garbage can or receptacle for industrial waste upon any lane or street in the Village except as specifically provided in this bylaw.
- 5.2 All garbage must be securely bagged and/or boxed, and shall not weight more than 30 pounds or 14 kilograms, or Alberta Occupational Health & Safety Code regulations, whichever is less, and be of sufficient strength for lifting of contents.
- 5.3 Every householder and proprietor shall maintain and keep in good condition sufficient garbage cans required by this bylaw for all garbage upon the premises owned or occupied by him, and

shall ensure that a cover is kept securely over the mouth of all such cans except when said cans are actually being filled or emptied.

- 5.4 Every householder, proprietor or other person shall dispose of garbage upon the premises owned or occupied by him by placing or causing the same to be placed in a garbage can maintained for that purpose, or in such other container as is specifically permitted by this bylaw, but not elsewhere.
- 5.5 Except on collection day, all garbage cans and/or bags shall be kept and maintained on the premises of the householder, and any garbage can located on any street or lane in the Village other than on collection day may be removed and disposed of at the discretion of the Bylaw Officer without compensation to the owner thereof.
- 5.6 The owner, tenant, occupant or other person in charge of a dwelling or other building shall at all times ensure that garbage cans or other receptacles provided for the purpose, are not allowed to spill over or accumulate on any land or street or adjoining public or private property. Every such person shall be held responsible for any violation of this section regardless of the cause of such violation.
- 5.7 When any garbage can has been condemned or is deemed insufficient by a Village representative and written notice to that effect has been given to the householder, the condemned garbage can may be removed and disposed of along with the garbage from the premises, in which case the householder shall forthwith provide a suitable garbage can or container to replace the one that has been condemned or removed.
- 5.8 Notwithstanding any other provision of this bylaw, plastic bags of the type designed for the disposal of domestic refuse may be used for the disposal of garbage under the following conditions:
  - a. Plastic bags containing garbage shall be kept in a structure, fenced area, or other enclosure except when otherwise placed for pickup on collection day.
  - b. Plastic garbage bags containing garbage shall be in good repair, and securely closed when deposited for pickup.
  - c. Plastic bags when filled shall weigh not more than 40 pounds or 18 kilograms and be of sufficient strength for lifting of contents, or Alberta Occupational Health & Safety Code regulations, whichever amount is less.
  - d. Plastic bags of garbage shall be placed for collection in the same manner and location as prescribed in this bylaw for garbage cans, and under no circumstances shall they be placed on any lane or street other than on collection day.

#### PART VI: UNACCEPTABLE REFUSE

- 6.1 No person shall directly or otherwise dispose of or permit any person to dispose of any explosive, inflammable, volatile, noxious, dangerous device, or hazardous substance in any garbage can.
- 6.2 Disposal of any refuse by burning is not permitted.
- 6.3 No person shall directly or otherwise dispose of or permit any person to dispose of hot ashes, or burning matter in any garbage can.
- 6.4 No person shall deposit any dead animal, manure, excreta, refuse, garbage, liquid waste or other filth upon or into any street, ditch, lane, highway, water, well, lake, pond, bank, stream, or onto any land except with written consent of the Village.
- 6.5 No person shall dispose of garbage, tree or tree clippings, or other refuse onto private or public property, unless provided with written consent of the Village.

#### PART VII: OFFENCES AND PENALTIES

- 7.1 The Village and Garbage Collection Agent may refuse to collect any garbage that does not comply with this bylaw.
- 7.2 Where any person breaches any provision of this bylaw, the Village may serve upon such person a written notice specifying the breach and requiring remedy of the breach, payment of a fine not less than \$25.00 and not more than \$500.00, or both.
- 7.3 Any written notice issued under the provision of this bylaw shall be deemed to be sufficiently served if served personally upon the person alleged to have committed the breach, or upon the owner, occupier or other person in charge of the premises upon which the breach has been committed, or if mailed to the address of the owner, occupier or other person in charge of the premises upon which the breach has been committed.

#### PART VIII: SEVERABILITY

- 8.1 If at any time any provision of this bylaw is declared or held to be illegal, invalid or ultra vires, in whole or in part, then that provision shall not apply and the remainder of the bylaw shall continue in full force and effect and shall be constructed as if it had been enacted without the illegal, invalid or ultra vires provision.

#### PART IX: REPEAL

9.1 Village of Hussar Bylaw 335-77 is hereby repealed.

PART X: ENACTMENT

10.1 This Bylaw shall come into force and effect upon third and final reading.

READ a first time this 11 day of August, 2016.

READ second time this 8 day of September, 2016

READ a third time this 8 day of September, 2016.

Signed this 14 day of September, 2016.

  
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Mayor

  
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Chief Administrative Officer