



Town of Nanton

BYLAW NUMBER:1395/24

A BYLAW OF THE MUNICIPALITY OF THE TOWN OF NANTON IN THE PROVINCE OF ALBERTA RESPECTING WASTE DISPOSAL AND RECYCLING

1. AUTHORITY & ENACTMENT:

WHEREAS the Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26 (the **Act**) provides that Council may pass bylaws for the municipal purposes respecting the services provided by or on behalf of the municipality, and the enforcement of bylaws; and

WHEREAS it is desirable to regulate and manage the storage, collection and disposal of solid waste and recyclables within the Town of Nanton;

NOW THEREFORE, under the authority and subject to the provisions of the Act, as amended, the Council of the Town of Nanton, duly assembled, does hereby enact the following:

2. INTERPRETATION:

2.1 This Bylaw may be referred to as the "Solid Waste Bylaw".

3. DEFINITIONS:

3.1 In this Bylaw:

alley a lane primarily intended for access to the rear yard of adjacent properties;

animal waste all forms of waste from animals or the treatment of animals, excluding animal carcasses or parts;

automated collection the collection of waste or recyclable materials using mechanical systems into specially designed vehicles;

automated collection containers means containers approved and provided by the Town for automated collection of waste and recyclable material; may also be referred to as "carts";

biomedical waste means medical waste that requires proper handling and disposal due to environmental, aesthetic, and health and safety concerns. It includes:

- (i) human anatomical waste;
- (ii) infectious human waste;
- (iii) infectious animal waste;

- (iv) microbiological waste;
- (v) blood and body fluid waste; and

(vi) medical sharps;

black cart a black automated collection container provided for the collection of solid waste;

blue cart a blue automated collection container provided for the collection of residential recyclable material;

Bylaw this Bylaw, including all Schedules attached to it, as it may be amended from time to time;

Chief Administrative Officer, or CAO, means the person appointed by the Council of the Town as its Chief Administrative Officer, or that person's designate;

Collection the act of picking up and gathering waste or recyclable material, including transport of the waste or recyclable material to a disposal site or material recovery facility, as applicable;

collector a person employed or contracted to collect waste or recyclable materials;

commercial bin a container provided for the storage of waste with a capacity of more than three-hundred-sixty-five (365) litres and constructed to be emptied mechanically into a collection vehicle;

commercial hauler a person engaged in the business of collecting waste and recyclable materials from property for transport to a disposal site or material recovery facility.

community recycling depot an area maintained by the Town and accessible to the public that contains bins and containment areas designated for the collection of recyclable material by the Town;

condominium a building or structure where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners in accordance with the provisioning of the Condominium Property Act;

construction and demolition waste materials generated in the course of construction, demolition or renovation on a parcel;

disposal site any location designated by the CAO for the disposal of waste or any other facility which is approved by Alberta Environment for the disposal of waste;

dwelling unit a building designed for human habitation and which is intended to be used as a residence for one or more persons but does not include travel trailers, motor homes, recreational vehicles, or other mobile living units, hotel, motel, dormitory, boarding house or other similar accommodation;

general medical waste Non-hazardous medical waste, including various disposable items used in medical settings, but excluding biomedical waste;

hazardous waste means waste that is generated from any property and has one or more hazardous properties as described in the Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12, as amended and Waste Control Regulation (Alta. Reg. 172/1776), Schedule 1, as amended;

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 hazardous waste and biomedical waste;



material recovery facility a facility that receives and prepares recyclable material for marketing;

medical sharp Any device used for medical procedures that can reasonably penetrate the skin or body

Municipal waste and recycling services management of collection and disposal services provided by the Town, ensuring compliance with environmental, regulatory, and health guidelines;

non-residential property any property that are not a residential dwelling and includes an apartment building, any residential property containing more than three (3) dwelling units, commercial or industrial properties, a parcel of land which does not contain a dwelling unit, and any property that is exempt from municipal assessment or taxation;

non-residential recyclable materials means materials designated in Schedule B, excluding construction and demolition waste;

owner Includes the person listed on the land title, occupant, lessee, tenant, condominium board, or property management company responsible for property maintenance, as applicable;

person means an individual, firm, corporation, entity, owner, occupier, lessee or tenant;

plastic garbage bag a plastic bag intended for waste collection, excluding those for other purposes;

residential property means any building intended for residential use, including a single detached dwelling, duplex, triplex, multiplex, rowhouse and townhouse, but excludes an apartment building or any other building comprising of more than three (3) residential units;

residential recyclable material materials collected from residential properties as listed in Schedule A;

Solid Waste services management of collection and disposal services provided by the Town, ensuring compliance with environmental, regulatory, and health guidelines;

tag or **additional waste tag** a self-adhesive sticker issued by the Town for identifying refuse exceeding the base rate limit within automated collection containers;

Town the municipal corporation of the Town of Nanton or its defined area;

waste means anything that is set out for collection and includes animal waste, industrial waste, general medical waste, or yard waste, but excludes hazardous waste and biomedical waste;

waste container a container approved for solid waste collection, including automated collection containers, commercial bins, and public litter receptacle;

yard waste means waste from gardening or horticultural activities and includes grass, leaves, plants, tree and hedge clippings, and sod.

4. GENERAL PROVISIONS:

4.1 The CAO, or their designate, is authorized to:

- (a) approve or set specifications for commercial bins, waste containers, automated collection containers and plastic garbage bags;
- (b) specify the types of waste or recyclable material accepted at a Town disposal



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site, Town material recovery facility or community recycling depot;

- (c) specify the quantities and types of waste or recyclable material eligible for collection;
 - (d) determine the time and frequency of the collection of waste or recyclable material;
 - (e) make and execute agreements on behalf of the Town for the collection of waste or recyclable material and disposal services;
 - (f) grant approvals and permissions as set out in this Bylaw;
 - (g) designate properties as "non-residential" or "residential" for the purposes of this Bylaw;
 - (h) establish systems for billing and collecting rates, fees and charges; and
 - (i) any other matter as relating to the operation of the collection of solid waste and recycling.
- 4.2 No person shall scavenge waste or recyclable material from a commercial bin, waste container, automated collection container, litter receptacle, plastic garbage bag or community recycling depot.
- 4.3 The owner of any property shall store waste or recyclable material on the property from which it is generated, unless it is stored on other property with the consent of the owner and occupant of those other property.
- 4.4 No person shall deposit waste or recyclable material in a waste or recycling container or commercial bin without the consent of:
- (a) the owner of the container or bin;
 - (b) the owner of the property where the container or bin is located; and
 - (c) the occupant of the property where the container or bin is located.
- 4.5 No owner of a residential dwelling shall set out for collection any waste that is not generated from their residential dwelling.
- 4.6 An owner shall ensure that waste or recyclable material stored or set out for collection on or adjacent to that owner's property does not:
- (a) create offensive odours; or
 - (b) become untidy.



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5. AUTOMATED COLLECTION CONTAINERS:

- 5.1 All residential dwellings shall have automated collection of residential waste (in black cart) and recyclable material (in blue cart), which will be delivered and assigned an automated collection container
- 5.2 The number of automated collection containers required, and the size of the automated collection containers required will be determined by the CAO in conjunction with contracted service providers.
- 5.3 Automated collection containers shall remain the property of the Town or its Contractor and may be removed by the Town, its contractors or agents at the direction of the CAO.
- 5.4 Automated collection containers assigned to a residential dwelling shall remain with that residential dwelling.
- 5.5 Owners of residential dwellings are responsible for all automated collection containers assigned to the residential dwelling and shall ensure that the containers are:
 - (a) kept clean;
 - (b) secured against theft or loss;
 - (c) maintained in good condition;
 - (d) not altered in any way, including any alteration of the exterior, except to mark the civic address of the property on the cart;
 - (e) used only for residential recyclable material if the container is an automated collection container for residential recyclable material; and
 - (f) available to the Town, its contractors, or agents within a reasonable time frame for the purposes of inspection, maintenance or repair
- 5.6 An owner of a residential dwelling shall be responsible for all fees related to automated collection containers issued for the owner's property including fees for the maintenance, repair, or replacement of the automated collection container. No fees shall be charged by the Town for repair or replacement of an automated cart due to a defect in materials or workmanship of the cart.
- 5.7 An owner shall ensure that automated collection containers for waste and recycling used at a residential owner's property are filled so that:
 - (a) the total weight of the container and its contents does not exceed sixty (60) kilograms; and
 - (b) the containers contain only residential waste or recyclable material.
- 5.8 An owner or resident shall:
 - (a) set out automated collection containers and any additional waste out for collection no later than 7:00 a.m. on the day of collection; and
 - (b) set automated collection containers and any additional waste out for collection no earlier than 12 hours prior to 7:00 a.m. for collection the next day;



- (c) remove automated collection containers from the collection location within 12 hours of the collection time.
- 5.7 Unless an owner has written approval from the CAO to set an automated collection container for waste or recycling out for collection at a specific location, the owner shall ensure that an automated collection container filled with waste or recycling:
- (a) is located at least one (1) metre from any object on any side of the container;
 - (b) has an overhead clearance above the top of the automated collection container of three (3) metres;
 - (c) if intended for front street collection, is:
 - (i) located in front of the residential dwelling that generated the waste materials;
 - (ii) located on the street at the curb with the wheels of the cart against the curb; and
 - (iii) placed in an upright position with the lid closed and the front of the cart facing the street.
 - (d) if intended for alley collection, is:
 - (i) located behind the building that generated the waste materials;
 - (ii) located adjacent to the alley on level ground and not on a step or raised platform of any kind; and
 - (iii) placed in an upright position with the lid closed and the front of the container facing the alley;
 - (e) is not obstructing traffic in the street or alley.

6 RESIDENTIAL WASTE AND RECYCLING

- 6.1 Residential waste and recycling collection services are provided to all residential property dwelling units and condominiums unless the condominium contains more than two dwelling units.
- 6.2 Owners of residential property dwelling units with more than one self-contained suite must ensure there is a single waste storage location for the residential dwelling which is directly accessible from a street or alley.
- 6.3 An owner of a residential dwelling shall ensure that only automated collection containers provided by the Town of Nanton are used at their residential dwelling.
- 6.4 An owner must ensure that residential waste and recycling containers used at their property are filled so that:
- (a) the cover of the container fits properly; and
 - (b) contents of the container can be easily removed from the container.
- 6.5 Excess additional waste or recycling that does not fit in a container, bagged, or unbagged, shall not be put out for collection.



6.6 No person shall:

- (a) tamper or interfere with any waste or recycling material set out for collection by the Town from a premises or any container or bin; and
- (b) hinder or interfere with the Town, its employees, or agents in the exercise of powers and duties under this bylaw.

6.7 Waste shall be:

- (a) placed in an automated collection container (black cart) for waste;
- (b) Where residential waste material is placed in a receptacle other than the designated automated collection container, neither the receptacle nor its contents will be collected; and
- (c) Waste shall be bagged prior to depositing in an automated collection container. No loose waste is to be placed in waste collection carts.

6.8 Recyclable material shall be:

- (a) placed in an automated collection container (blue cart) for recycling. Where residential recyclable material is placed in a receptacle other than the designated automated collection container, neither the receptacle nor its contents will be collected;
- (b) Recyclable material accepted in an automated recycling container shall be deposited in the automated container **without** any sorting or bagging of materials, unless otherwise provided in this bylaw (i.e. plastic bags bagged within a bag);
- (c) Recyclable materials placed in a blue container shall conform to the material guidelines set out in Schedule "B" attached to this bylaw.
- (d) Residential recycling collection may be provided by an Extended Producer Responsibility (EPR) program, should such a program become available to the municipality; and

7. NON-RESIDENTIAL WASTE AND RECYCLING:

- 7.1 An apartment building, whether or not it is also a condominium, is considered commercial property for the purposes of this Bylaw.
- 7.2 The owner of commercial property must ensure waste generated at the property is set out in a commercial bin for collection from a reputable commercial waste handling provider.
- 7.3 The owner, operator or residents of non-residential property must ensure that non-residential recyclable material generated on a property is:
- (a) collected and stored separate from other waste; and
 - (b) taken to and deposited at a materials recovery facility or community recycling depot.
- 7.4 The owner of commercial property must ensure sufficient commercial bins or waste containers are available to hold and retain all waste from the property.



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- 7.5 The owner of any non-residential property must ensure that:
- (a) the waste containers are located in a central place that allows direct vehicular access to the bins; and
 - (b) snow and ice does not accumulate near the waste containers such that vehicle access is impeded.
- 7.6 The owner, operator or residents of non-residential property shall ensure that all litter receptacles on the property are:
- (a) maintained in good condition;
 - (b) weighted or anchored so they cannot be inadvertently overturned;
 - (c) of suitable size and at sufficient locations to discourage litter; and
 - (d) emptied into a commercial bin, waste container, or plastic garbage bag when full.

8. COMMUNITY YARD WASTE AREA:

- 8.1 No person shall deposit or dispose of materials at a community yard waste area other than those materials described as permitted materials by signage located at the depot.
- 8.2 No person shall deposit materials of any kind at community yard waste area except in the locations, receptacles or bins provided.
- 8.3 No person shall tamper with, interfere with or damage a sign, receptacle or bin at a community yard waste area.
- 8.4 No person or commercial hauler who resides or is based beyond the municipal boundaries of the Town shall deposit or dispose of materials at a community yard waste area without written permission from the CAO or designate.
- 8.5 No person or commercial hauler shall deposit or dispose of materials that were collected outside of the municipal boundaries of the Town at a community yard waste area under any circumstances.
- 8.6 The CAO or designate has authority to reduce or amend the operating hours of a community yard waste area, including temporary closure, in response to:
- (a) non-compliant or illegal user activities;
 - (b) variations in seasonal weather that may extend or shorten the operating year; and
 - (c) operational requests from staff.

9. RESTRICTIONS ON WASTE:

- 9.1 The Town or its agents shall not remove the following from a property during collection:
- (a) Highly combustible or explosive materials including but not limited to liquid or solid fuels, gunpowder, ammunition, or explosives;



- (b) Hot Ashes which are not properly quenched and appear to be hot or likely to cause a fire;
- (c) Compressed propane or butane cylinders;
- (d) Toxic or household Hazardous Waste 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;
- (e) Biomedical Waste including hypodermic needles or syringes, lancets or any sharp item used in home medical care;
- (f) Large bulky items such as mattresses, box springs, dressers, tables, chairs, major appliances, auto and truck parts, tires, tree limbs, whole shrubs, or discarded heavy machinery;
- (g) Sheet iron, large pieces of scrap metal or machine parts;
- (h) Electronic equipment including televisions, computers, computer monitors, keyboards, and associated cables;
- (i) Renovation, construction, or demolition material;
- (j) Stumps, concrete blocks or slabs, soil, rocks, or aggregate;
- (k) Dead animals and animal parts from hunting or trapping;
- (l) Transient Waste;
- (m) Septic tank pumping, raw sewage, or industrial sludge;
- (n) Radioactive Waste;
- (o) Waste material which has not been placed for collection in accordance with the provision of this Bylaw; and
- (p) Liquid Waste or material that has attained a fluid consistency and has not been drained.

9.2 The following information sources shall be used with respect to rules regarding the proper disposal of certain waste:

- (a) Foothills Land Recovery and Resource Recovery Centre (foothillslrrc.com);
- (b) Safe disposal of prescription drugs (Canada.ca);
- (c) Canadian Centre for Occupational Health and Safety – Needlesticks and Sharps Injuries (ccohs.ca)

9.3 Yard waste, with the exception of bagged noxious weeds, is not to be placed in an automated collection container.



10. RATES AND FEES:

- 10.1 Council shall set rates for the following:
- (a) the waste management rate; and
 - (b) the recycling management program rate if applicable.
- 10.2 Where waste management services and recycling management program services are supplied by the Town, the owner of a residential dwelling shall pay to the Town a monthly charge as set out in the Town of Nanton Rates and Fees Bylaw.
- 10.3 In the event that Council determines that a cost recovery program is required for a community yard waste collection area, a user fee schedule shall be set out in the Town of Nanton Rates and Fees Bylaw.
- 10.4 Residents are permitted, upon request, to acquire one additional blue or black container at cost from the Town, rendering an additional monthly fee for collection.
- 10.5 Rates for waste management and the residential recycling management program will apply even where no material is set out for collection.
- 10.6 The CAO may establish fees for products and services provided with respect to the collection and disposal of waste including the maintenance, repair and replacement of Town-owned automated collection containers.

12. ENFORCEMENT AND PENALTIES:

- 12.1 Notwithstanding the provisions of this Bylaw, the CAO may suspend or discontinue the collection of waste or recyclable material if the owner of a residential dwelling or commercial property contravenes a provision of this Bylaw.
- 12.2 A person who fails to comply with or breaches any provision of this Bylaw is guilty of an offence.
- 12.3 If a Municipal Ticket is issued in respect of an offence, the Municipal Ticket will specify the fine amount listed in Schedule "A".
- 12.4 A person who is issued a Municipal Ticket in respect of an offence may pay the fine amount established by this Bylaw for the offence at the Town of Nanton Office and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.
- 12.5 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- a. specify the fine amount established by this Bylaw for the offence; or
 - b. require a person to appear in court without the alternative of making a voluntary payment; and a person who enters a guilty plea or is found guilty of an offence is liable to a fine in an amount not less than that specified in this Bylaw and not exceeding \$8,000.00 and liable to imprisonment for not more than 6 months for non-payment of the fine.



- 12.6 Nothing in this Bylaw shall prevent an Enforcement Officer from immediately issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

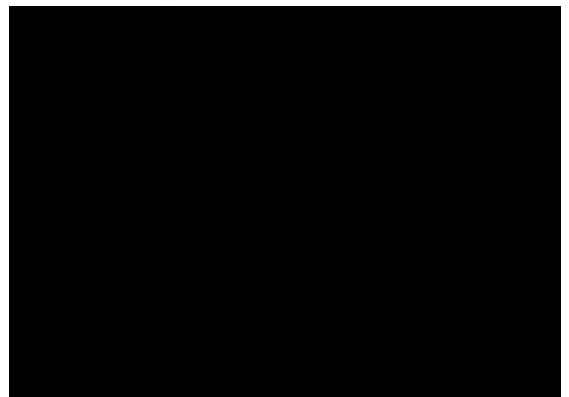
13. EFFECTIVE DATE AND READINGS

- 13.1 This bylaw comes into effect upon the date of final reading and signing thereof.

- 13.2 This bylaw repeals Bylaw #1293/17 and any amendments thereto.

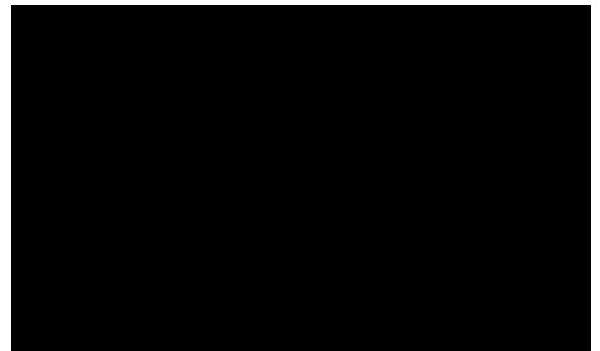
- 13.3 Read a **first** time this 15 day of July, 2024

TOWN OF NANTON

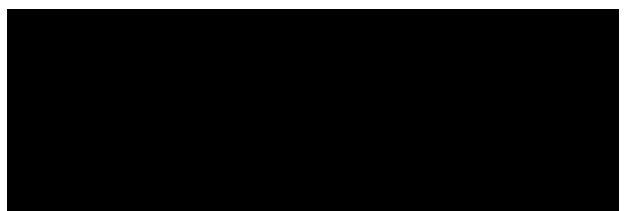


- 4.3 Read a **second** time this 12 day of August, 2024.

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- 4.4 Read a **third** time this 12 day of August, 2024.





Schedule "A"
Specified Penalties

Section	Violation	First Violation	Second Violation	Third Violation
General Penalty	All Bylaw sections not specified in this schedule	\$50.00	\$100.00	\$200.00
5.7, 6.7	Improper use of collection container	\$100.00	\$150.00	\$200.00
9.1, 9.3	Setting out improper materials for waste collection	\$100.00	\$150.00	\$200.00
6.8	Setting out improper materials for recycling collection	\$100.00	\$150.00	\$200.00
6.1, 6.2, 6.3, 6.4, 6.5	Improperly located containers/ waste	\$100.00	\$150.00	\$200.00
6.6	Collection interference	\$100.00	\$150.00	\$200.00
8.1, 8.2	Non-compliant disposal at community yard waste collection area	\$100.00	\$200.00	\$300.00
8.4	Non-resident disposal at community yard waste collection area	\$250.00	\$500.00	\$1000.00
8.5	Yard waste from outside municipality disposed at community yard waste collection area	\$500.00	\$1000.00	\$1500.00

