



## VILLAGE OF TESLIN BYLAW #16-219

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A BYLAW TO PROVIDE FOR THE COLLECTION, STORAGE, AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS.

WHEREAS section 265 of the *Municipal Act* provides that Council may adopt bylaws for municipal services and improvements on private and public land including quarries, and sand and gravel pits.

AND WHEREAS section 266 of the *Municipal Act* provides that, without restricting section 265, Council may by bylaw provide for a system of licenses, inspections, permits, or approvals, including any or all of the following:

prohibiting any development, activity, industry, business or thing until a license, permit, or approval has been granted or an inspection has been performed, and

providing that terms and conditions may be imposed on any license, permit, or approval, the nature of the terms and conditions, and who may impose them;

AND WHEREAS it is deemed expedient and in the public interest to establish, operate, maintain and control a solid waste collection and disposal system for the Village of Teslin;

NOW THEREFORE, the Council of the Village of Teslin, in open meeting duly assembled, enacts as follows:

### SHORT TITLE

1. This Bylaw may be cited as “**Garbage Collection and Recycling Bylaw**”.

### DEFINITIONS

2. In this bylaw and the schedule attached hereto, unless context otherwise requires:

“**Approved**” means approved by the Village of Teslin.

“**Backyard Composting**” means the composting at a residential dwelling of approved food waste and leaf and yard waste where such waste is generated by the residents of the dwelling unit or neighbouring dwelling units or both, and is contained in a homemade or commercial bin.

“**Brush**” means garden refuse, grass cuttings, weeds, timber, stumps, and wood materials that can be burned.

“**Bulky Items**” mean large items including, but not limited to, barrels, bed springs, furniture, mattresses, oil tanks, water tanks, and pieces of fencing. Large appliances are regulated separately as “white goods”.

“**Collection Day**” means the day or days on which residential waste are regularly collected from a premise, together with the time period immediately preceding and immediately following the time of collection, as specified by the Village of Teslin.

**"Commercial Container"** means any container for the purpose of storing of institutional, commercial, or industrial waste to be collected by a hauler. A commercial container may or may not require mechanized collection.

**"Composting"** means the natural biological process carried out under controlled conditions which converts compostable material (e.g. organic material of plant or animal origin including food waste, leaf and yard waste, boxboard, soiled and non-recyclable paper, branches and bushes) into a stable humus like product.

**"Construction and Demolition Waste"** means material generated as a result of construction, renovation, repair, wiring, plumbing or demolition activities, including but not limited to polystyrene or fiberglass insulation, gyproc, scrap wood, planking, siding, bricks, masonry, concrete and metal.

**"Container"** means any container other than a garbage can, approved in writing by the Village of Teslin for the storage of garbage.

**"Controlled Waste"** means material that must be disposed of according to specific procedures as specified by the Village of Teslin, including but not limited to bulky items; carcasses or parts of any animal except food waste; construction and demolition waste; grubbing material; scrap metal; special waste; tires; and white goods.

**"Contaminated Soil"** means any soil that contains a contaminant which is in an amount, concentration, or level in excess of that prescribed by regulation or allowed under a permit.

**"Council"** means the elected Council of the Village of Teslin Council.

**"Dwelling"** means one or more rooms intended to be used as a residence by one household, each dwelling having independent living, sleeping, and toilet facilities and not more than one kitchen.

**"Dump Area"** means an area designated and established for the disposal of garbage, refuse, brush, and scrap metal.

**"Eligible Premises"** means dwellings whose owners or occupiers pay for curbside residential waste collection, as approved by the Village. Eligible premises may include single detached, semi-detached, modular homes, living suites, duplexes, triplexes, fourplexes or mobile homes. Eligible premises may also include dwellings in Commercial, Industrial, or non-residential zoning designations where the primary use of the property is residential.

**"Environment Act"** means the Yukon *Environment Act* as amended from time to time.

**"Food Waste"** means fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other similar items.

**"Foreman"** means the foreman for the Village of Teslin or his/her representative.

**"Garbage"** means all kitchen and table refuse, condemned meats, fish, fruits, vegetables and other like waste or decomposing matter.

**"Garbage Bag"** means a water-resistant plastic bag that is strong enough to handle the weight of the garbage placed in it, and is securely tied or sealed at the top. Bags put out for municipal collection may be between 32 inches and 48 inches in length when empty.

**"Garbage Container"** means a receptacle for the purpose of disposing of residential solid waste and constructed of non-corrosive durable metal or plastic, equipped with a tight-fitting cover constructed of the same material and handle for lifting.

**“Grubbing Material”** means material removed during excavation including, but not limited to, roots, stumps, embedded logs, broken branches and debris.

**“Hauler”** means any company, person or persons who transport solid waste.

**“Highly Combustible and Explosive Material”** means materials that are banned from the landfill cells as fire or explosive hazards, including but not limited to gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite or other similar material.

**“Household Hazardous Waste”** means any waste produced in the home which contains hazardous substances as defined by the *Environment Act*.

**“Industrial Waste”** means material from manufacturing processes, warehouses or market gardens, ashes from industrial plants, condemned matter or waste from factories, any other material or waste or by-product of an industrial or related activity.

**“Leaf and Yard Waste”** means grass clippings, leaves, coniferous needles, brush, twigs, house and garden plants, sawdust and wood shavings and other similar items.

**“Liquid Waste”** means waste or material that has attained a fluid consistency including septic tank pumpings and wash water, raw sewage or industrial sludge.

**“Owner”** means an owner of real property and included a person having any right, title, estate or interest in a real property other than that of occupant or mortgagee.

**“Occupant”** means any person who resided in and on the premises that receive the benefit of garbage collection.

**“Ozone Depleting Substance”** means any substance as defined under the Ozone Depleting Substances Regulations of the *Environment Act*.

**“Person”** means an individual, individuals, a business corporation, non-profit organization or society, or similar entity.

**“Premises”** means any dwelling unit or commercial enterprise that receives the benefit of garbage collection.

**“Property”** means a piece of real estate; a lot defined by property lines.

**“Recycling Container”** means a weather-proof bag, box, or container designed to hold recyclable material.

**“Recycling Depot”** means an area recognized by the Village of Teslin for the organized collection of recyclable material; reusable items, household hazardous waste and electronic waste.

**“Refuse”** means broken dishes, tins, glass, rags, containers, waste paper, cast-off clothing and all similar substances that accumulate in premises

**“Residential Waste”** means all household residential waste other than that which can be segregated as controlled waste or reusable materials, compostable material and recyclable materials if not segregated.

**“Scrap metal”** means, but is not limited to, car bodies, engine blocks, barrels, tire rims, stoves, refrigerators, and any metal objects that cannot be burned effectively to cut down their size.

**“Solid Waste”** means all waste including controlled waste; residential waste; institutional, commercial, or industrial waste; compostable material; recyclable material and reusable material.

**"Solid Waste Facility"** means a site used by the public for the handling and disposal of waste and includes any land, transfer stations or buildings associated with the facility and any machinery, equipment, devices, tanks or other works used on the site to handle or dispose of the solid waste.

**"Special Waste"** means special waste as defined by the *Special Waste Regulations* of the *Environment Act*, including but not limited to asbestos, biomedical waste and household hazardous waste.

**"Sump Waste"** means the liquid waste and solid waste removed from a sump.

**"White Goods"** means any large appliance including but not limited to refrigerators, freezers, dishwashers, air conditioners, stoves, washing machines and clothes dryers.

## **ADMINISTRATION**

1. The collection, removal, and disposal of garbage, refuse, brush and scrap metal shall be under the supervision of the Village.
2. The Village of Teslin shall administer and enforce the provisions of this bylaw. For this purpose, the Village of Teslin is authorized to:
  - (1) prohibit any person from collecting, or disposing of solid waste in accordance with any relevant section of this bylaw,
  - (2) levy fees and charges based on solid waste type and origin on a volume for all material entering the solid waste facility,
  - (3) prohibit any type of solid waste from being disposed of in the solid waste facility,
  - (4) limit or restrict backyard composting when health or wildlife concerns arise; and
  - (5) levy fines with respect to offences as set out in Schedule C attached hereto and forming part of this bylaw.
  - (6) The Village of Teslin is not liable for costs, damages, losses or injuries arising from contravention of any provision of this bylaw.

## **GENERAL RULES AND REGULATIONS**

3. No person shall set out waste in any manner or condition that:
  - (1) is unsightly to the neighbouring environment;
  - (2) harbours or attracts wildlife; or
  - (3) is a hazard or threat to public health and safety.
4. No person shall dispose of solid waste in any manner other than:
  - (1) residential waste into approved garbage containers; or
  - (2) compostable materials into approved composting containers; or
  - (3) by transporting solid waste to a solid waste facility.
5. If in the opinion of the Village of Teslin certain waste practices threaten public health or safety, the Village may make a decision, which shall not be subject to appeal, to limit, restrict, or prohibit the continuation of such waste practices.
6. No person shall allow waste to spill over or accumulate on any street or adjoining public or private property and shall ensure, at all such times, that all waste is kept within a container with the lid fully closed. The owner or occupier shall be responsible for all of the costs associated with removal and disposal of such spilled solid waste.
7. No person shall dispose of solid waste in any other person's garbage container or commercial container without prior approval from the owner or their authorized agent.

8. Every owner or occupant shall provide and maintain at all times and in good repair, such water tight receptacles as is necessary for the storage of garbage and refuse in a sanitary condition. Owners/Occupants not maintaining their refuse in a safe/sanitary manner are subject to fines as listed in section 46. Owners/Occupants that are on garbage collection service need to ensure that receptacles are accessible (e.g.: snow removal during winter).
9. All receptacles shall be so secured that they cannot be overturned, but such securing must not impede the handling of the receptacles when it is being emptied.
10. Wet garbage shall be thoroughly drained of all liquids and be closed in a plastic bag before it is placed in a receptacle.
11. All garbage cans in use must be in good condition and repair and have a tight fitting lid and have a capacity of not over 24 gallons and not weigh over 50 pounds when filled. All garbage cans must contain a plastic garbage bag. Loose garbage and refuse will not be collected until it is in a plastic bag. Maximum number of garbage bags per weekly residential pickup is four (4).
12. Plastic garbage bags must placed in garbage cans and must be securely closed and not weigh more than 20 pounds when filled and be placed within a dog and animal proof receptacle. Garbage bags shall be water resistant, in good repair, and securely closed.
13. Every person requesting removal of garbage and refuse shall allow the Village the right to enter the premise's yard at all convenient times in the performance of their duties.
14. Other arrangements may be made between the Village and the occupant or owner when the garbage cans or enclosures are contrary to this bylaw.
  - a) The Council reserves the right to control the type and nature of garbage, refuse, brush, and scrap metal which is deposited in the designate dump area, within the limitations of the solid waste permit.
  - b) The foreman is authorized to regulate the operation of the dump area and the dumping of garbage, refuse, brush, and scrap metal.
15. No person shall dispose of waste at or near a waste facility when the facility is closed or when the owner or operator refuses to accept waste at that time or from that person.
16. Any waste placed for collection that does not meet the specifications of this bylaw shall not be collected by the Village and shall remain the responsibility of the owner.

#### **CURBSIDE GARBAGE COLLECTION**

17. Curbside solid waste collection shall be offered by the Village of Teslin to eligible premises.
18. Payment for curbside collection shall be in accordance with the payment provisions of this bylaw, the monthly fee as set out in Schedule "A"
19. The Village of Teslin is authorized to establish, change or alter collection schedules and routes from time to time, as operations dictate.
20. The collection, removal, and disposal of garbage and refuse shall be effected:
  - a. from all dwelling units, once weekly.
  - b. From all commercial enterprises, twice weekly or as many times as necessary to maintain a sanitary condition.
21. On collection day,
  - a. solid waste is to be set out for collection by 8:00 a.m. on the day regularly scheduled for pickup.

- b. garbage containers shall be placed at the curb. Every effort shall be made to ensure that no vehicles or other obstructions impede the hauler's access to the garbage containers.

22. Collection service will not be provided:

- (1) if the garbage containers or their replacements are not acceptable.
- (2) if materials other than residential waste are placed in the container.
- (3) for loose material inside or outside of the container, or litter.

### **CURBSIDE SOLID WASTE PREPARATION AND RESTRICTIONS**

23. No person shall dispose of or permit any person to dispose of any controlled waste in any garbage container. The owner or their authorized agent of the garbage container shall be responsible for the removal and disposal of all special/hazardous waste in accordance with this bylaw.

### **BACK-YARD COMPOSTING**

24. No person shall back-yard compost except on their own property.

### **COLLECTION OF RECYCLABLE MATERIAL**

25. All residents will be encouraged to recycle as much as possible. Refundable and non-refundable recycling service will be provided on a weekly basis; there will be no cost for this service. Service provided will be dependent upon resources available. All recyclables collected are the property of the Village of Teslin for disposal at their cost and profit.

26. No person shall deposit any material other than the indicated recyclable material into a recycling container.

27. No person, other than the owner or operator of the recycling depot, shall remove or otherwise tamper with recyclable material stored in or around recycling containers or facilities.

### **SOLID WASTE DISPOSAL**

28. Any person disposing of solid waste in the solid waste facility shall pay all applicable fees and charges.

29. Any person entering the solid waste facility shall:

- (1) Have all solid waste and controlled waste easily identifiable and properly segregated.
- (2) Declare any and all solid waste by type;
- (3) Stop at the gatehouse.
- (4) Pay the appropriate fees and charges to the Village of Teslin in the manner directed by procedures developed by the Village of Teslin;
- (5) Follow all directions of the Village of Teslin and posted signs;
- (6) Deposit the solid waste in the appropriate designated areas;
- (7) Stay with the vehicle at all times.

30. The Village of Teslin may inspect and prohibit disposal of solid waste at the solid waste facility that is not properly segregated, or charge accordingly.

31. The Village of Teslin has the authority to waive the solid waste facility fees and charges for special solid waste programs limited to community litter programs and household hazardous waste collection days. A resolution of Council is required prior to authorizing the waiving of fees and charges for all other events or programs.

32. Disposal of commercial and/or industrial waste that originates from outside the Village boundaries is prohibited at the solid waste facility unless authorized by the Village of Teslin in accordance with the permits section of this bylaw.
33. The following controlled waste shall be accepted at the solid waste facility and deposited in the designated disposal area:
- (1) Construction and demolition waste; bulky items; tires.
  - (2) Car and truck batteries.
34. The following controlled waste shall be accepted at the solid waste facility and deposited in the designated disposal area under the specified conditions:
- (1) Domestic animal carcasses may be accepted provided the owner notifies the Landfill Operator immediately.
  - (2) Scrap metal shall be accepted provided the owner declares all fuel tanks have been cleaned and purged and all tires, special waste and ozone depleting substances have been removed from automobiles.
  - (3) White goods shall be accepted provided the doors have been removed.
35. The following controlled waste shall not be accepted at the solid waste facility:
- (1) Highly combustible and explosive material.
  - (2) Liquid waste.
  - (3) Radioactive material.
  - (4) Sump waste.
  - (5) Contaminated soil.
  - (6) Manure, kennel material, excreta, and fish processing.
36. Controlled waste not accepted at the solid waste facility must be disposed of in accordance with applicable regulations. Highly combustible, explosive, and radioactive materials are regulated under the *Special Waste Regulations* of the *Environment Act*. Liquid waste is regulated by the Village of Teslin Sewer Bylaw (No 07-156). Sump waste is only accepted where facilities exist to handle sump waste.
37. Special/hazardous waste will not be accepted at the solid waste facility. The disposal of special waste may occur at the Village of Teslin public works yard only through prior discussion with Village staff.

### **IMPROPER DISPOSAL**

38. Any person who permits or causes any storage, collection, or disposal of solid waste contrary to the provisions of this bylaw, commits an offence, and in addition to the penalties provided hereunder shall be liable to pay the cost of the clean-up and disposal of such waste.
39. Any person who permits or causes any disposal of solid waste contrary to the provisions of this bylaw, commits an offence, and in addition to the penalties provided hereunder, shall be liable to pay the cost of the removal and proper segregation and disposal of such waste.
40. Any person who causes or permits to cause any deposition of solid waste other than at a designated solid waste disposal facility shall be responsible for the removal, cleanup and proper disposal of the solid waste, and all associated costs and fines. In the event that the Village of Teslin provides the service of removal and proper disposal, the person responsible and the owner of the solid waste shall be jointly liable to pay all costs associated with the removal and disposal in addition to any penalties in accordance with penalties section of this bylaw.

### **PAYMENT**

41. The rates for garbage and recycling collection

- (1) will be charged and paid by all occupants or owners under the provisions of this Bylaw shall be set forth in "Schedule A" attached hereto
  - (2) the owner of real property shall be liable for all rates and charges payable under this bylaw.
  - (3) all rates and charges for garbage collection shall be due and payable within 30 days of the date of the statement
43. In the event of default of payment of garbage rates and charges in excess of 60 days, the Village may discontinue service to the premises in respect of which rates and charges and may determine not to recommence the service to such premises until such time as all arrears are paid in full.
44. In the event of default of payment of garbage rates and charges in excess of 60 days, the Village may discontinue service to the premises in respect of which rates and charges are overdue, and shall charge a penalty of 10% in addition to the rates and charges and may determine not to recommence the service to such premises until such time as all arrears are paid in full.
45. The owner or occupant of any premises that applies for garbage service shall pay to the Village a Security Deposit as provided in Schedule "A" attached hereto.

### **PENALTIES**

46. Any person who commits an offence subsequent to any provisions of this bylaw is liable, upon summary conviction to:
- 1) a voluntary fine under section 20 of the *Summary Convictions Act*, issued in respect of an offence specified in Schedule "C" attached hereto and forming part of this bylaw; or
  - 2) a fine not exceeding ten thousand dollars (\$10,000.00) where proceedings are commenced pursuant to the summary conviction provisions of the Criminal Code of Canada; or
  - 3) a fine not exceeding five hundred dollars (\$500.00) where proceedings are commenced pursuant to the *Summary Convictions Act* of Yukon.
47. Where an offence is committed or continued on more than one day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.
48. The Village of Teslin shall immediately terminate or suspend the collection of solid waste or the use of the solid waste facility for solid waste disposal to any person who contravenes any provision of this bylaw. The suspension will remain in effect until such time that the contravention has been corrected and all outstanding fees paid.
49. Should any person owning or occupying real property within the Village refuse or neglect to pay any penalties that have been levied pursuant to this bylaw, the Village of Teslin may inform such person in default that if these charges are unpaid on the thirty-first day of December on the same year, these shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

### **GENERAL INTERPRETATIONS**

50. Wherever the singular or the masculine is used in this bylaw, the same shall be deemed to include the plural or the feminine or the body politic or corporate where the context of the bylaw requires.
51. The invalidity of any section, sentence, or provision of this bylaw shall not affect the validity of any other part of this bylaw which can be given effect without such invalid part or parts.

### **BYLAW SHALL PREVAIL**

52. Where the provisions of this bylaw conflict with the provisions of any other bylaw of the Village of Teslin, the bylaw with the more stringent provisions shall prevail.

**REPEAL**

53. Bylaw 08-165, including all amendments thereto, is hereby repealed.

This bylaw shall come into full force and effect on the final passing thereof.

READ A FIRST TIME THIS 14<sup>th</sup> DAY OF November, 2016.

READ A SECOND TIME THIS 14<sup>th</sup> DAY OF November, 2016.

READ A THIRD AND FINAL TIME THIS 28<sup>th</sup> DAY OF November, 2016.

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Clara Jules, Mayor

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Shelley Hassard, CAO

BYLAW

**Garbage Collection and Recycling Bylaw # 16-219**  
**SCHEDULE “A”**

**Curbside Collection Fees and Security Deposit**

**1. Curbside Collection Fees**

Curbside solid waste and recycling collection rates in the Village of Teslin shall be as follows:

Waste Type	Collection Frequency	Cost
Residential	Once/week	\$25/month
Commercial	Twice/week	\$50/month \$30 per collection event over and above the twice/week
Recycling	Once/week	FREE

**2. Security Deposit**

An applicant for solid waste collection service shall, at the time of application for service, provide the Village with a non-interest bearing deposit in the following amount:

- a. Where garbage service is the only utility service provided the sum of \$25.00
- b. Where other utility services (i.e. water, sewer) are provided the total security deposit for all utility services shall not exceed \$ 150.00

The security deposit will be returned when the applicant discontinues services, and his account is paid in full, and provided notice of discontinuation to the Village. Where an applicant’s account has remained in good standing for one year the security deposit will be returned.

**Garbage Collection and Recycling Bylaw #16-219**  
**SCHEDULE “B”**

**Solid Waste Collection Fees**

Category	Examples	Fee
Animal Carcasses	Cows, Pigs, Moose, Horses, Bears, Deer, Moose	\$10 each
Clean Burnables	Brush, scrap lumber, yard trimmings	Free
Sorted Construction and Demolition		\$5/pick-up load \$10/trailer load \$50/anything larger
Electronics	Computers, radios, TV's, electronic devices	\$3 each
Metals	Vehicles	\$100/vehicle \$25/clean vehicle
	Clean scrap metal	Free
Residential	Solid Wastes	\$1 per 4 bags or less, up to 8 bags \$5/pick-up load
Residential Bulky Items	Furniture, mattresses (excludes appliances)	\$10 each
Residential White Goods	Dishwashers, stoves, washers, dryers	Free
	Fridges, Freezers	\$35 each
Tires with an inner diameter greater than 24.5 inches	Inner diameter less than 22.5”	Free
	Inner diameter greater than 24.5”	\$32 each
		Tires on rims will be charged a handling fee of \$10
Any Mixed Unsorted Materials		\$50/pick-up load or smaller \$100/trailer load \$250/anything larger

**Garbage Collection and Recycling Bylaw #16-219**  
**SCHEDULE “C”**

**Fines**

Offence	Fine
Store, collect, transport solid waste contrary to bylaw	\$200
Unauthorized use of garbage container or container	\$100
Fail to transport solid waste to a solid waste disposal facility	\$200
Backyard compost not on property	\$50
Mix controlled waste with other waste	\$200
Remove/tamper with material in recycling containers	\$100
Fail to stop at landfill gatehouse	\$50
Fail to follow directions of gate attendant and posted signs	\$50
Improper disposal of waste at landfill	\$50
Deposit solid waste at/near landfill when site is closed	\$200
Deposit uncontrolled waste at landfill	\$500