

LAC STE. ANNE COUNTY
PROVINCE OF ALBERTA
BYLAW 15-2023

BEING A BYLAW OF LAC STE. ANNE COUNTY TO ESTABLISH THE PROCEDURES AND FEES OF A SOLID WASTE UTILITY FOR RESIDENTIAL WASTE AT TRANSFER STATIONS WITHIN THE COUNTY.

WHEREAS, the *Municipal Government Act*, as amended from time to time, provides that a Council may pass bylaws governing a public utility for the disposal of residential solid waste and the levying and collecting of fees and charges related thereto;

WHEREAS, the *Municipal Government Act*, as amended from time to time, provides that a Council may pass bylaws regarding the remedying of contraventions of bylaws;

AND WHEREAS, the Council of Lac Ste. Anne County deems it necessary to regulate the supply of waste disposal services for owners and renters of improved residential properties in Lac Ste. Anne County and to establish applicable rates thereto;

NOW THEREFORE, the Council of Lac Ste. Anne County, in the Province of Alberta duly assembled enacts as follows:

1. Citation

1.1. This Bylaw may be cited as “2023 Solid Waste Utility” Bylaw.

2. Definitions

- 2.1. “Act” means the *Municipal Government Act*, as amended from time to time.
- 2.2. “Chief Administrative Officer” means the Chief Administrative Officer of the County or their designate;
- 2.3. “Council” means the Council of Lac Ste. Anne County.
- 2.4. “Customer” means the owner of an improved residential property, or residential vacant properties where an approved RV Development Permit exists, entitled to solid waste disposal services provided by the County.
- 2.5. “County” means Lac Ste. Anne County, a municipal corporation in the province of Alberta or the geographical area contained within the boundaries of Lac Ste. Anne County as the context may require.
- 2.6. “Landfill” means a waste management facility at which waste is disposed of by placing it in or on land.
- 2.7. “Solid Waste Disposal Services” means access granted to customers of the Lac Ste. Anne County Solid Waste Utility, to any of eight transfer stations operated by Lac Ste. Anne County and the Highway 43 East Waste Commission landfill.
- 2.8. “Waste” means items intended for disposal at a transfer station or landfill as set out in this Bylaw.

3. Authority of Chief Administrative Officer

- 3.1. The Chief Administrative Officer is authorized to:
 - 3.1.1. determine the time and frequency of the operation of County transfer stations to deliver the service standards determined by Council;
 - 3.1.2. approve or set specifications for transfer bins, waste containers, recycling containers and other aspects of waste collection and transfer;

- 3.1.3. approve the types of waste or recyclable material accepted at County transfer stations;
 - 3.1.4. determine the time and frequency of transfer of waste from County transfer stations to the main landfill site; and
 - 3.1.5. establish systems for billing and collecting rates, fees and charges.
- 3.2. Notwithstanding any other provision of this Bylaw, the Chief Administrative Officer may suspend or discontinue access to solid waste services if a customer contravenes a provision of this Bylaw.

4. Waste Types

- 4.1. County operated transfer stations accept the following waste types:
- 4.1.1. general household residential waste;
 - 4.1.2. oil, oil containers, oil filters and paint products;
 - 4.1.3. tires and batteries;
 - 4.1.4. white goods;
 - 4.1.5. furniture and building materials;
 - 4.1.6. wood waste; and
 - 4.1.7. wire and twine.
- 4.2. The disposal of prohibited waste types at County operated transfer stations is a contravention of this Bylaw and an offence as outlined in Schedule A.
- 4.3. Prohibited waste types at County operated transfer stations include:
- 4.3.1. waste generated outside the municipality of Lac Ste. Anne County;
 - 4.3.2. industrial, commercial or hazardous waste;
 - 4.3.3. biomedical waste;
 - 4.3.4. general medical waste;
 - 4.3.5. animal waste, dead animals or animal parts;
 - 4.3.6. automobile parts;
 - 4.3.7. silage wrap;
 - 4.3.8. liquids, other than oil and paint products identified in 4.1.2;
 - 4.3.9. waste that is unsafe for solid waste staff to access or handle, and;
 - 4.3.10. any other waste that the Chief Administrative Officer designated as prohibited waste from time to time.

5. Solid Waste Utility Participation

- 5.1. Access to residential solid waste services is supplied by the County to all improved residential properties, and residential vacant properties where an approved RV Development permit exists.
- 5.2. The owner(s) of improved residential properties, and residential vacant properties where an approved RV Development permit exists, are entitled to the solid waste disposal services provided by the County and shall pay the annual solid waste transfer station utility rate established in this Bylaw.
- 5.3. All properties supplied by the County with access to residential solid waste services are required to participate in the solid waste utility unless:
- 5.3.1. The property is exempted as the property is located in the hamlet of Sangudo;

- 5.3.2. The property is exempted as the property owner(s) or tenant(s) have provided proof of an agreement with a third party to supply alternate solid waste services for the property, to the satisfaction of the County. The County shall not approve an agreement unless the waste receptacle provided by the third party is located on the property in question;
 - 5.3.3. The property is exempted as the property does not have a dwelling;
 - 5.3.4. The property is exempted as the property has an unoccupied dwelling;
 - 5.3.5. The property owner pays on their primary property, but owns an additional property that is unoccupied within the County;
 - 5.3.6. The property is exempted as the property has a dwelling that is verified by the County to be uninhabitable; or
 - 5.3.7. The property is exempted as it consists of a residential multi-dwelling property that is rented or leased and required to access commercial solid waste services.
- 5.4. Lac Ste. Anne County residential property owner(s) may, if otherwise excluded or exempted from participation in the solid waste utility, purchase access to County solid waste services by voluntarily participating in the Solid Waste Utility.

6. Solid Waste Utility Rate

- 6.1. The 2023 Solid Waste Utility Rate is established at \$189.16 for each property required to participate in the Solid Waste Utility.
- 6.2. Solid waste utility accounts that have been activated or signed off during the course of the billing period will be sent a revised bill for the prorated portion of the billing cycle for which the property owner(s) owned the property.
- 6.3. The fee for replacement cards will be established at a \$20.00 cost for each card. Fee must be paid before cards can be issued.
- 6.4. Where a customer has been charged less or more than they should have been charged for solid waste utility services provided by the County, the County will review the utility account and make corrections for the billing errors for up to a maximum of 12 months prior to the date the error is discovered. Corrections will not be made for billing errors in respect of utility services provided more than one year prior to the date the billing error is discovered.

7. General

- 7.1. No person shall scavenge waste or recyclable material from a transfer station, or waste container.
- 7.2. The owner of any premises shall store waste or recyclable material on the premises from which it is generated, unless it is stored on other premises with the consent of the owner and occupant of those other premises.
- 7.3. No person shall deposit waste or recyclable material at a transfer station without presenting both:
 - 7.3.1. A valid Lac Ste. Anne County Solid Waste Disposal card; and
 - 7.3.2. A government issued photo identification, with the name of the authorized user and a picture of the person delivering waste.

8. Payment Terms and Penalties

- 8.1. The services and access provided to all improved residential properties, and residential vacant properties where an approved RV Development permit exists, are for a 12-month period and will automatically be renewed for successive 12-month periods.
- 8.2. Annual solid waste fees will be invoiced in April of 2023 and due on June 30, 2023. A penalty of 3.5% will be applied to all outstanding account balances on July 1, 2023.
- 8.3. Any amounts outstanding after July 31, 2023, will be transferred to the tax roll in August 2023.

9. Enforcement

- 9.1. Where an Enforcement Officer, who is also a designated officer, believes a person has contravened any provision of this Bylaw, the Officer may:
 - 9.1.1. issue to the person an order in accordance with the *Municipal Government Act*, to remedy the infraction;
 - 9.1.2. issue to the person a violation ticket in accordance with the *Provincial Offences Procedures Act*; or
 - 9.1.3. do both 9.1.1 and 9.1.2 above.
- 9.2. If the person to whom an order has been issued pursuant to Section 9.1 fails to comply with the order within the time specified in the order:
 - 9.2.1. that person commits an offence under this Section and an Enforcement Officer may issue a violation ticket pursuant to *Provincial Offences Procedures Act*; and
 - 9.2.2. the County may take whatever steps are necessary to remedy the breach of this Bylaw, and the cost of doing so becomes a debt owing to the County by the person to whom the order was issued in accordance with the *Municipal Government Act*,
- 9.3. Any person who contravenes a provision of this Bylaw is guilty of an offence and is liable on conviction:
 - 9.3.1. for a first offence, to a fine of not less than the penalty shown in Schedule "A" of this Bylaw in respect of that provision; and
 - 9.3.2. for a second offence of the same provision within a twenty-four-month period, to a fine of not less than twice the amount of the penalty shown in Schedule "A" of this Bylaw in respect of that provision.
- 9.4. The specified penalty for an offence is the amount shown in Schedule "A" in respect of that offence.
- 9.5. A person who is guilty of an offence is liable to a fine in an amount not less than that established in this Bylaw, and not exceeding \$10,000.00, and to imprisonment for not more than six months for non-payment of a fine.
- 9.6. 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.
- 9.7. Where this Bylaw refers to another Act, Regulation or Agency, it includes reference to any Act, Regulation or Agency that may be substituted, therefore.

10. Severability

- 10.1. Should any provision of this Bylaw be invalid, illegal or unenforceable then the invalid, illegal or unenforceable provision shall be severed, and the remainder of the Bylaw shall be maintained and will continue to operate in full force;

11. Replace and Effective Date

11.1. This Bylaw shall come into effect and replace Bylaw 07-2022 for the 2023 calendar year.

READ a first time this 30th day of March 2023

READ a second time this day³⁰ of March 2023

READ a third and final time this³⁰ day of March 2023



Reeve
(SEAL)

County Manager

BYLAW 15-2023

SCHEDULE A

Offence	Amount of Penalty in Dollars
Scavenge waste or recyclable material (7.1)	\$125.00
Storing waste or recyclable material on other's premises (7.3)	\$250.00
Waste or recyclable material deposited without consent (7.4)	\$250.00
Disposing of prohibited waste at transfer station (4.2)	\$250.00
Disposing of waste not generated in Lac Ste. Anne County (4.3.1)	\$250.00
Disposing of waste not generated on premises (4.3.1)	\$250.00
Disposing of waste generated by industrial or commercial business (4.3.2)	\$250.00
Fail to comply with order (9.2)	\$1,000.00