



RURAL MUNICIPALITY OF WEST INTERLAKE

BY-LAW NO. 20-2020

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF WEST INTERLAKE TO ESTABLISH AND OPERATE A WASTE MANAGEMENT SYSTEM IN THE TOWN OF ASHERN

WHEREAS Section 250(2) of the *Municipal Act*, S.M. provides that:

250(2) Without prejudice to the generality of subsection (1), the municipality may, for municipal purposes:

- (a) acquire, hold, mortgage and dispose of land, improvements and personal property or an interest in such land, improvements and personal property;
- (b) construct, use, repair, improve and maintain works and improvements;
- (c) acquire, establish, maintain and administer utilities, facilities and utilities;
- (d) with regard to any act which it has the power to do in its territory, enter into agreements with:
 - (i) a person,
 - (ii) the Government of Canada or any of its agencies,
 - (iii) the Government of Manitoba or any of its agencies,
 - (iv) a local authority,
 - (v) a band as defined in the *Indian Act* (Canada),
 - (vi) another municipality located in Manitoba or in another province;
- (e) use its equipment, materials and labor to carry out private work on private property;

AND WHEREAS Section 252 (1) of the *Municipal Act* provides that:

252(1) A municipality which exercises powers similar in nature to those referred to in paragraphs 250 (2) (b), (c) and (e) may set conditions with regard to users and, in particular:

- (a) fix, charge and collect the rate or amount of deposits, duties and other charges;
- (b) provide for a right of inspection on private property in order to determine whether the other conditions are observed, to determine the amount of deposits, duties or other charges or to cut off a service;
- (c) interrupt or cut a service and refuse to provide the services to users who fail to observe the conditions;

AND WHEREAS the Council of the Rural Municipality of West Interlake deems it expedient, and in the best interest of the Town of Ashern to implement a Waste Management System;

THEREFORE BE IT AND IS ENACTED as a by-law of the RM of West Interlake as follows:

1. NAME

1.01 This By-Law shall be cited as the "Waste Management By-Law".

2. DEFINITIONS

2.01 In this by-law, unless the context otherwise requires

- a) "*Commercial Premises*" shall mean all those premises which are zoned "Commercial"
- b) "*Industrial Premises*" shall mean all those premises which are zoned "Industrial"
- c) "*Institutional Premises*" shall mean premises where the principal use is healthcare, residential care, education, recreation or public assembly and shall include, but is not limited to hospitals, personal care homes, elderly housing, schools, child care facilities, arenas, rinks, community centres, clubs, halls, and religious institutions.
- d) "*Premises*" shall mean a building or buildings including the associated land.
- e) "*Residential Premises*" shall mean single family dwelling, duplexes, apartments, condominiums complexes and mobile homes.
- f) "*Municipality*" shall mean the Rural Municipality of West Interlake
- g) "*Waste*" shall mean all classes of waste set forth in Section 3 of this By-Law.



RURAL MUNICIPALITY OF WEST INTERLAKE

BY-LAW NO. 20-2020

3. CLASSES OF WASTE

3.01 For the purposes of this by-law the following Classes of Waste are hereby prescribed:

- a) "*Bulky Waste*" shall mean an item or thing, having a weight which exceeds thirty-two (32) kilograms (seventy-five (75) pounds) or a total dimension which exceeds three (3) cubic meters (7 cubic yards) and without limiting the generality of the foregoing includes appliances, furniture, auto parts, large crates, packing products, tree boughs, branches, stumps, hay and straw.
- b) "*Construction/Demolition Waste*" shall mean a mixture of waste buildings materials and rubble resulting from construction, remodelling, renovations, repairs, demolition in the RM of West Interlake.
- c) "*Landfill Waste*" shall mean all discarded waste but does not include Agricultural Waste, Animal Waste, Ashes, Combustible Waste, Construction/Demolition Waste, Excavation Waste, Industrial Waste, Liquid waste, Metallic Waste, recyclable Waste and Yard Waste
- d) "*Recyclable Waste*" shall mean those wastes as accepted by local recycling processors
- e) "*Yard Waste*" shall mean leaves, grass clippings, garden and flower bed vegetation, and tree trimmings

4. REMOVAL AND DISPOSAL

4.01 Residential Units & Commercial Units shall receive collection and disposal of allowable waste pursuant to By-law 9-2019.

4.02 Any wastes not collected curbside may be transported by the resident/rate payer to the Ashern Waste Disposal Grounds for disposal.

4.1 REMOVAL AND DISPOSAL – RESIDENTIAL PREMISES

4.11 Residential, Commercial and Institutional premises may place for collection the following classes of Waste for curbside collection. They may be placed in containers and the container shall be placed at such allocation for collection as herein after specified:

Landfill Waste
Recyclables

- a) Landfill Waste shall be placed in an opaque garbage bag, having a maximum size, not exceeding 20 kilograms (45 pounds) in weight.
- b) Loose recyclables shall be placed in a transparent recycling bag. Cardboard is to be broken down and placed together.

4.12 Allowable waste for curbside collection shall be placed for collection, no earlier than 8:00 pm the night before pickup and prior to 8:00 a.m. on the waste collection days, on the Residential or Commercial property being serviced, immediately adjacent to the property line and easily accessible from the street. Where the placement of the waste does not restrict or impede pedestrian or vehicular traffic, the waste may be placed between the property line and the road edge.

4.13 Should unaccepted items be found within recycling bags,

- a) First Non-Compliance - a warning ticket shall be left on the property owners door notifying them of unacceptable items. Educational information to be provided.
- b) Second Non-Compliance - - a warning ticket shall be left on the property owners door notifying them of unacceptable items. Educational information to be provided.
- c) Third Non-Compliance – collection shall be discontinued until recycling has been properly sorted and complied with.

4.14 The Municipality may provide for the collection and disposal of yard waste on special day/s as specified.

- a) Yard waste shall be placed in a paper or garden bag having a maximum size, not exceeding 20 kg's (45 lbs) in weight.

4.15 Special collection exceptions may be made, on an as needed basis, as approved by the CAO.



RURAL MUNICIPALITY OF WEST INTERLAKE

BY-LAW NO. 20-2020

5. PROHIBITED WASTE

5.01 No person shall dispose of any Class of Waste in an unauthorized or illegal manner.

5.02 Unbagged landfill waste is considered prohibited and shall not be collected.

6. RIGHT OF ENTRY TO PRIVATE PROPERTY

6.01 The Municipality or its designated officers may enter upon any premise for any purpose related to the administration and enforcement of this By-Law.

7. LANDS TO BE KEPT CLEAN

7.01 The owner or occupier of any premise shall cause same to be kept free of wastes. The Municipality or its designated officers may enter upon any such property for the purposes of removing any wastes allowed to continue thereon contrary to this By-Law, and the cost of such removal may be recovered from the property owner or added to the tax roll of the subject property and collected in the like and same manner as property taxes.

7.02 The owner or occupier of any premise shall be responsible for the cleanup of waste that has been spread due to garbage bags being torn by animals.

8. UNAUTHORIZED HANDLING OF WASTE

8.01 No person other than the owner or agent thereof, unless lawfully authorized to do so, shall pick over, interfere with, disturb, remove or scatter any wastes

9. CONVEYANCE OF WASTES

9.01 No person shall convey or cause to be conveyed any wastes in a vehicle that is not properly constructed and covered so as to prevent the wastes from leaving the vehicle while in transport.

10. ENVIRONMENTAL MANAGEMENT AND EDUCATION PROGRAMS

10.01 The Municipality may engage in activities to promote public knowledge and understanding of waste management and public participation in the prevention, reduction, reuse or recycling waste and the recovery of material substances or energy from waste.

11. OFFENSES AND PENALTIES

11.01 If a person fails, omits or neglects to do any act or provide anything pursuant to this By-Law, the Municipality or any authorized person on its behalf shall remedy the default and shall charge the cost of remedying the default:

- a) against the person required to do the act or provide the thing and recover it as debt due to the municipality, by the action in a court of competent jurisdiction
- b) as taxes against the land in respect of which the offence occurred and recover the cost in the same manner as taxes are recovered

12. COLLECTION OF BULKY WASTES

12.1 Ratepayers may dispose of bulky wastes, at their own expense, at the Ashern Waste Disposal grounds.

12.2 The Municipality may provide for the collection and disposal of bulky wastes on special days as specified.

13. OTHER WASTE

13.1 Ratepayers shall dispose of construction and demolition waste, at their own expense at a Disposal site.



RURAL MUNICIPALITY OF WEST INTERLAKE

BY-LAW NO. 20-2020

DONE AND PASSED as a by-law of the Rural Municipality of West Interlake, in Manitoba this 12th day of January, 2021.

Read a first time this 22nd day of December, 2020.
Read a second time this 12th day of January, 2021.
Read a third time this 12th day of January, 2021.



Reeve
Arnthor Jonasson



Chief Administrative Officer
Courtney Roehl