

THE CITY OF FLIN FLON

BY-LAW NO. 34/94

**Being a By-Law of The City of Flin Flon
to regulate the storage and disposal
of garbage and other refuse within
the City of Flin Flon.**

PASSED: October 18, 1994

The Council of The City of Flin Flon in regular meeting assembled enacts as follows:

1. In this By-Law,

- (1) **"City"** shall mean The City of Flin Flon.
- (2) **"Garbage"** shall mean and include any household or business offal, refuse, rubbish, or leavings, capable of being placed in garbage containers of the size and type approved in this By-Law.
- (3) **"Highway"** shall mean and include any road, street, or lane, or thoroughfare, or other means of communication dedicated to the public use within the City.
- (4) **"Private Property"** shall mean and include any property, title to which is vested in the name of one or more persons or organizations, and shall include property held under lease or permit from The City of Flin Flon, the Province of Manitoba, the Province of Saskatchewan, or the Government of Canada.
- (5) **"Waste Disposal Grounds"** shall mean the disposal area established and maintained by the City for the purpose of depositing garbage and other refuse, and which is legally described as follows:

Being a portion of SW ¼ of Section 32, and NW ¼ Section 29, Township 66, Range 29 WPM, as shown on a Plan of Survey signed by J. WATSON, dated August 25, 1954.
- (6) **"Public Property"** shall mean and include any land, title to which is vested in The City of Flin Flon, the Province of Manitoba, the Province of Saskatchewan, or in the Government of Canada, unless use of such property is assigned under lease or permit to one or more persons or organizations.
- (7) **"Bulky Waste"** means waste in the form of old automobile bodies, tires, and automobile parts; bodies and parts of other types of vehicles; pipes, plumbing and heating appliances; stoves, refrigerators, and other appliances used in households or in business establishments; objects which are not capable of being placed in garbage containers of the size and type approved in this By-Law; rocks, sand and clay; material left from the construction or alteration or razing of any building; debris left after the landscaping of any lot; trees, including Christmas trees; branches of trees and bushes.
- (8) **"Hazardous Waste"** means a substance that is designated a hazardous waste by regulation under The Dangerous Goods Handling and Transportation Act.

2. This By-Law shall apply to the whole of the City of Flin Flon.

3. No person shall dispose of, or attempt to dispose of, any garbage or bulky waste in any manner other than as in this By-Law provided.

4. (a) The hours of operation of the waste disposal ground shall be as follows:

From October 16 to April 15, 10:00 a.m. to 6:00 p.m., Monday through Saturday;
closed Sundays and Statutory holidays

From April 16 to October 15, 12:00 noon to 8:00 p.m., Monday through Friday, and
10:00 a.m. to 6:00 p.m. on Saturday; closed Sundays and statutory holidays
- (b) The City Engineer shall have the authority to change or adjust the hours of operation, if, in his opinion, it is in the best interest of the public.
- (c) In any case of a change of hours in operation, the City Engineer shall cause to be published in one issue of The Reminder, the proposed change in hours, at least 2 days before the effective date of change.
5. (a) No person shall remove any matter, thing, or object from the waste disposal grounds, without the express permission of the Director of Works and Operations.
- (b) In addition to any charges otherwise payable as tipping fees, there shall be an additional charge of \$25.00 for every load presented at the landfill which is neither covered nor secured. This shall include material which, due to be being recyclable, would not otherwise attract a tipping fee or other charge.
- (c) No person shall smoke while at or on the Landfill Site or premises. Notwithstanding any other provision of this by-law, a person convicted of breaching this subsection shall be liable to a minimum fine of \$300.00.
- (d) No person shall set a fire at the Landfill Site, unless where that person is in possession of a written authorization from the Director of Works and Operations or his designate. Notwithstanding any other provision of this by-law, a person convicted of breaching this sub-section shall be liable to a minimum fine of \$1,000.00.
6. No person shall at any time of the year throw, deposit, or accumulate, or permit to be thrown, deposited, or accumulated, any animal or vegetable matter, offal, trimmings, or food leavings of any kind, including fruit and vegetable peelings or other garbage, or excreta, or animal carcass on any highway or public or private property, including that which he occupies, except as permitted by this By-Law.
7. No person who is the owner or operator of any drive-in restaurant, refreshment stand, or other retail business conducting its business wholly or partially outside a building shall permit containers or wrappers or other refuse to be thrown or deposited on the ground or to drift onto any private property other than that which he occupies, or onto any highway or public property.
8. Every person who, by means of handbills, promotes business or any other undertaking or effort, or who operates any circus or other amusement or entertainment facility on any street or public property, or who hangs, mounts, or sets up any decorations on any highway or public property, shall, at his own cost, gather up and destroy or deposit in the public nuisance grounds all refuse arising from such activity.
9. No person shall place any garbage cans or other receptacles containing, or intended to contain, garbage or other refuse upon any highway or public property or private property other than that which he occupies, unless permitted to do so by this by-law.
10. Every owner of any premises where people reside or carry on business, or of any premises which are used as a hall for public or other meetings, shall supply and maintain at all times, for the use of the occupants of the premises, storage facilities adequate for storing all garbage originating on the premises until it is collected by the City or its agent or servant. Such storage facilities shall consist of a closed space within the buildings, or a fully enclosed shed, bins, or garbage stands for garbage cans.

5 amended
by replacing
entire
section BL
2011-13 &
2012-09

11
amended to
add last
sentence BL
2008-20

11. All garbage stands and other garbage storage facilities shall be located at the rear and close to the boundary of the property in a place and in such a manner that it is readily accessible for garbage collection. Garbage stands must be structurally sound.

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elevation
restriction
BL 2008-20

12. (a) Occupants of premises which do not have back lanes shall place their garbage at the curb in front of the premises for the purpose of garbage collection, and shall place the garbage at the curb not more than 12 hours before the regular garbage collection time.

(b) Occupants of premises which have back lanes shall place their garbage cans at the rear of the premises for collection, and shall place the garbage cans on a stand or other contrivance is constructed so that the garbage can will not tip.

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BL 2008-20

13. (a) Garbage cans shall not be more than 75 centimetres in height and not more than 50 centimetres in diameter, and have a weight of not more than 10 kilograms, and shall be made of galvanized steel or plastic and be equipped with tight fitting lids and handles. Where garbage cans are placed on a stand, the total height of the stand and garbage can together shall not exceed 91 centimeters (3 feet).

(b) No person shall employ a used freezer or refrigerator as a garbage can.

14. No person shall deposit hazardous waste at the waste disposal grounds, or place hazardous waste in a garbage container which is regulated by this by-law, or cause hazardous waste to be deposited at the waste disposal grounds.

15. No person shall fill any garbage can beyond the point that will not permit of the lid being closed tightly.

16. Garbage of a sticky nature which may tend to adhere to the sides or bottom of the garbage can shall be well wrapped in paper or plastic before placing in the garbage can.

17. Garbage cans shall be maintained in a clean and sanitary condition at all times.

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amended by
reolacina in
its entirety
BL 2010-16

18. (a) Lawn cuttings, dried grass, or pulled weeds must be bagged to be eligible for residential garbage pickup.

(b) Animal feces may be disposed of through residential garbage pickup, provided that such waste must be double bagged and the bags put into sealed cardboard boxes.

(c) No bag or box or other receptacle of garbage will be eligible for residential pickup if it exceeds 20 kg (40 lbs) in weight.

19. All shipping crates and other large shipping containers shall be broken up so that no member thereof shall have a length greater than one metre.

20. All bulky waste shall be deposited in the waste disposal grounds by the owner or occupant of the property from which the bulky waste originates, and at the cost of said property owner or occupant.

21. Such fee as may from time to time be levied by simple resolution of The City of Flin Flon shall be paid by persons who make use of the waste disposal grounds.

22. Ashes originating in single family dwellings may be placed in garbage cans, provided that cold ashes, only, shall be so placed for removal with the garbage, and provided further that all hot ashes shall be cooled before putting into containers for removal, and shall be kept separate from ashes intended for removal.

23. All ashes originating in multiple dwellings or business, or industrial or institutional buildings, shall be deposited in the waste disposal grounds by and at the expense of the owner of such building, or his agent or servant.

- 24. Animal carcasses shall be deposited in the waste disposal grounds by, and at the expense of, the owner or owners thereof.
- 25. Nothing in this By-Law prohibits composting.
- 26. The Director of Works and Operations, or his designate, is hereby authorized to supervise and direct the compliance with the provisions of this By-Law, and to initiate corrective or punitive action for nonobservance thereof (including the issuing of orders for compliance).

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reolacina in
its entirety
BL 2011-04

PENALTIES

- 27. Any person who violates, contravenes or disobeys, or refuses, omits, neglects, or fails to observe, obey, or comply with any provision of this By-Law is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$25.00 or no more than \$1,000.00, or, in default, to imprisonment for a term not exceeding 30 days.
- 28. If a property owner or occupant fails, omits, or neglects to dispose of bulky waste as provided in Section 20, the municipality or any person on its behalf may remedy the default and may charge the cost of remedying the default
 - (a) against the person required to dispose of the waste, and recover it as a debt due to the municipality, by action in a court of competent jurisdiction; or
 - (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.
- 29. If a property owner fails, omits, or neglects to comply with the terms of an order made under this By-Law, within the time period allowed by the order, the municipality or any person on its behalf may remedy the default and may charge the cost of remedying the default
 - (a) against the person required to dispose of the waste, and recover it as a debt due to the municipality, by action in a court of competent jurisdiction; or
 - (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."
- 30. By-Law No. 9/81 is hereby repealed.

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amended by
addina in its
entirety
BL 2011-04

PASSED AND ENACTED AS A BY-LAW OF THE CITY OF FLIN FLON, THIS 18TH DAY OF OCTOBER, A.D. 1994.

Original Signed by G.A. CRAIG

Mayor

Original Signed by L.F. FANCY

Municipal Administrator

READ a first time, this 18th day of October, A.D. 1994.
 READ a second time, this 18th day of October, A.D. 1994.
 READ a third time, this 18th day of October, A.D. 1994, DONE & FINALLY PASSED.