

BYLAW #2013-1926

A BYLAW OF THE CITY OF ESTEVAN IN THE PROVINCE OF SASKATCHEWAN TO REGULATE THE COLLECTION, REMOVAL AND DISPOSAL OF RECYCLING IN THE CITY OF ESTEVAN AND TO REGULATE THE USE OF THE CITY'S LANDFILL SITE.

WHEREAS the Council of the City of Estevan, by virtue of *The Cities Act*, is authorized to pass a bylaw to regulate and operate a recycling collection removal and disposal system and pursuant to the provisions of *The Cities Act* and subject to *The Litter control Act*, *the Clean air Act* and *the Environmental Management and Protection Act*.

AND WHEREAS the Council of the City of Estevan deems it necessary and desirable to establish a bylaw to regulate and operate a recycling collection, removal and disposal system including disposal site and to operate this system as a Public Utility.

NOW THEREFORE Council of the City of Estevan hereby enacts as follows:

1. **SHORT TITLE** - This Bylaw may be cited as the "**Recycling Management Bylaw**"
2. **DEFINITIONS**

For the purpose of this Bylaw the following terms, phrases, words and their derivatives shall have the meanings given herein. When not inconsistent with the context, words, used in the present tense include the future, words used in the plural number include the singular and words in the singular includes the plural, all reference to "he" shall also mean "she" unless the context requires otherwise. The word "shall" is always mandatory and not merely discretionary.

ACT means *The Cities Act* and amendments thereto.

APPROVED RECEPTACLE means an approved receptacle defined by subsections 7 and 8 and 9 of this bylaw.

BULKY WASTES means recycling whose weight exceeds twenty-three (23 kg) kilograms or whose longest dimensions exceed one hundred and twenty (120 cm) centimetres.

CITY means the municipal corporation of the City of Estevan or the area contained within the boundaries thereof, as the context requires.

CITY MANAGER means that person appointed by resolution of Council to that position.

CITY ENGINEER means that person appointed by resolution of Council to that position.

CITY TREASURER means that person appointed by resolution of Council to that position.

COLLECTOR means a person who is employed by a contractor or recycling hauler to collect recycling wastes.

CONTRACTOR means any firm or corporation who has been awarded and has entered into a Solid Waste and Recycling Collection contract with the City of Estevan.

COUNCIL means the municipal Council of the City of Estevan.

GARBAGE means putrescible animal and vegetable remains and by-products resulting from the handling, preparation, cooking and consumption of food.

FIRE CHIEF means that person appointed by resolution of Council to that position.

HAZARDOUS WASTE shall mean that waste defined as such in The Hazardous Substances and Waste Dangerous Goods Regulations, the *Atomic Energy Control Act*, the *Explosives Act*, the *Oil and Gas Conservation Act*, *The Pipeline Act* and *The Environmental Management and Protection Act* as such statutes and regulations exist on the 1st day of April, 1995.

INDUSTRIAL WASTE means wastes generated or resulting from industrial and manufacturing processes and operations.

INSTITUTIONAL PREMISES OR SITES means premises or sites principally used in the provision of services to the public including but not limited to governments, government crown agencies, corporation, schools, hospitals, municipal corporations, nursing homes, railway companies and associations.

LANDFILL SITE means a site at which residential landfillable solid waste and non-residential landfillable solid waste is disposed of located on the real property described in subsection 11(1) of this bylaw.

MEMBER OF A POLICE SERVICE means a member of the Estevan Police Service employed by the Estevan Board of Police Commissioners.

MINISTERS PERMIT is the permit issued by the member of the Executive Council to whom for the time being the Administration of *The Environmental Management and Protection Act* is assigned to the City authorizing the operation of a landfill site.

MUNICIPAL EMPLOYEE means a person employed by the City of Estevan.

NATURAL ATTENUATION means natural processes comprising the action of air, soil, ground water, weathering and natural micro-organisms to reduce the harmful characteristics

of leachate or gases normally produced by the weathering, reactions, intermingling and compression of waste materials at the municipal landfill site.

NON-LANDFILLABLE SOLID WASTE means all solid waste excluded from disposal at the landfill site by virtue of the Ministers Permit and without limiting the foregoing includes all solid waste described in Schedule "F".

NON-RESIDENTIAL LANDFILLABLE SOLID WASTE means construction and demolition waste and bulky waste but not including any solid waste which can be included in the definition of non-landfillable solid waste.

OCCUPANT means a person who, alone or with others is in charge of or possession of a premise.

OWNER means a person who is the legal or beneficial owner of a premise.

PERSON means a corporation, or a person and the heirs, executors, administrators or other legal representatives of a person.

PREMISES means a parcel of land and where there are buildings and improvements located thereon including the buildings and improvements.

RATES BYLAW means a bylaw passed by the City of Estevan to set, among other things, rates for the collection and disposal of solid waste pursuant to Section 14 hereof.

ELIGIBLE RECYCLABLE MATERIAL means material for which a recycling collection point or recycling facility is established by the City and which is described in Schedule "A".

REFUSE means all putrescible and non-putrescible solid wastes including garbage, domestic or household ashes, broken dishes, tins, glass, rags, cast-off clothing, waste paper, cardboard, food containers, grass cuttings, shrubbery, tree prunings, weeds, garden waste, bulky wastes, street refuse, dead animals, abandoned vehicles, construction and demolition wastes, rubbish, industrial refuse, special wastes, animal and agricultural wastes.

RESIDENTIAL DWELLING LOCATION means all parcels of land within the City used primarily for and upon which is built a Residential Dwelling Unit.

RESIDENTIAL DWELLING UNIT means:

- (a) Any single building situated on land for which a separate certificate of title has been issued and which is principally used as a single family dwelling unit;
- (b) Any townhouse, condominium of row housing units, condominium of separate housing units:
 - (i) situated on land for which a separate certificate of title has been

- issued;
 - (ii) which are principally used as single family dwelling units;
 - (iii) which occupies a portion of each level of the building of which it is a part; and
 - (iv) which contains no more than four such self-contained single family dwelling units;
- (c) Any single building situated on land for which a separate certificate of title has been issued:
- (i) which contains only self-contained family dwelling units;
 - (ii) which contains no more than four such self-contained single family dwelling units.

RESIDENTIAL LANDFILLABLE SOLID WASTE means all solid waste except for non-residential landfillable solid waste, non-landfillable solid waste and eligible recyclable material.

RUBBISH means non-putrescible combustible and non-combustible wastes from residential dwellings, commercial, industrial and institutional premises and includes paper, wastes, plastics, rags, cloth, bedding, leather, rubber, yard trimmings, metals, tin cans, dirt, stones, brick, ceramics, crockery, glass and other mineral refuse.

SOLID WASTES shall mean REFUSE and means any useless, unused, unwanted or discarded material resulting from ordinary community activities.

SOLID WASTE UTILITY means the system of storage, collection, transportation and disposal of the solid wastes, the Landfill Site, the regulation thereof and the operation of the entire system as a Public Utility.

STREET means a public thoroughfare within City limits and includes, where the context so allows, the sidewalk and border of the street and all parts appearing in the Land Titles Office as set aside for a public thoroughfare whether used as such or not.

VEHICLE means any mode of transportation or conveyance.

WASTE HAULER shall mean a person who is engaged in the business of collecting, removing or disposing of solid waste or recycling material.

3. UTILITY

- (1) There is hereby established a recycling utility, the purpose of which is to provide for the storage, collection, transportation and disposal, except where otherwise herein provided, of recycling originating within the City.

- (2) There is hereby established a recycling utility, the purpose of which is to dispose, except where otherwise herein provided, of recycling originating within the City in a recycling depot.
- (3) Subject to subsection 11(9) hereof, the supply of recycling utility disposal services to persons outside the City shall be subject to the consent of the municipality in which the person resides.
- (4) Notwithstanding anything contained in this bylaw, the City shall not be required to provide collection and disposal of recycling for any recycling originating outside of the City or for non-landfillable solid waste.
- (5) The recycling utilities established by subsections (1) and (2) of Section 3 hereof shall be managed and operated as one undertaking and shall be referred to as the recycling utility.
- (6) The City may, as authorized by another bylaw, contract with any person to supply part or all of the goods or services necessary for the provision of the recycling utility.

4. ADMINISTRATION

- (1) The City Manager or designate may cause to be prepared and printed, and kept up to date, a consolidation of this bylaw and schedules, indices and appendices thereto, and may make such arrangements with respect thereto, and with respect to matters incidental thereto, as may be required. All approved revisions shall bear the following designations and be located as follows:
 - a) When a specific portion has been amended or replaced by an amending bylaw, the designation '[AM.B/L #]' shall be inserted immediately following the affected block of text.
 - b) When a specific portion has been repealed or deleted by an amending bylaw, the designation '[REP.B/L.#]' shall be inserted adjacent to the current section, subsection, paragraph or clause number in place of the removed text.
 - c) When a new portion has been enacted herein by an amending bylaw, the designation '[EN.B/L #]' shall be inserted immediately following the added block of text.
 - d) When any of the designations referred to in subsections (a), (b), and (c) of Section 4 (1) are inserted within the text of this bylaw, the figure '#' shall be replaced by the actual number of the respective amending bylaw.

- e) Where more than one clause, paragraph or subsection of any particular section is affected by the same amending bylaw, the designation may be placed at the end of each clause, paragraph or subsection so affected or, at the left aligned margin of the paragraph, subsection or section so affected, whichever is deemed to have more clarity in each particular instance.
- (2) The City Treasurer shall:
- a) Annually submit to Council a financial report of the operation of the recycling utility.
 - b) Collect all rates, rents, charges, levies, deposits or other charges or surcharges receivable on account of the recycling utility.
 - c) Make all disbursements authorized by Council therewith;
 - d) Keep books and accounts in respect of all receipts, disbursements, reserves, deposits, capital assets for and on account of the recycling utility separate and distinct from the books and accounts relating to other property, funds or assets of the City;
 - e) Provide for the investment of receipts, deposits, reserves and income derived therefrom as authorized by Council;
 - f) Conduct, with the City Manager or designate, regular and annual reviews of such books, accounts, billings, collections, utility rates, reserve status, investment income, deposit status, indebtedness and provide such information as the City Manager or designate considers expedient for the efficient management of the utility;
 - g) Develop and maintain a system for collecting rates, charges, tolls, fares in connection with the recycling utility.
- (3) The Auditor shall examine the books, accounts and records of the Recycling utility annually.
- (4) The recycling utility shall be under the general direction and supervision of the City Manager or designate whose duties and authority shall be set by resolution of council.
- (5) For the purposes of performing duties assigned by this bylaw, every municipal employee and the City Manager or designate, while performing duties assigned hereunder, may enter upon any land from which the City is required to remove recycling at all times between seven o'clock in the morning and nine o'clock in the evening.

5. **GENERAL REGULATION**

- (1) No person shall collect, store, remove, transport or dispose of recycling except in the manner provided for in this bylaw.
- (2) Except for recycling which is placed:
 - a) in an approved receptacle required by this bylaw; or
 - b) in a manner complying with the provisions of this bylaw; or
 - c) in a location designated or allowed by this bylaw;

no person who is the owner or occupier of a premise shall allow recycling to accumulate on that premise.
- (3) Except for sand, cinders or similar materials in reasonable quantities placed on icy streets or sidewalks, no person shall place solid waste or recycling or direct or allow it to be placed upon any street or land other than into an approved receptacle or disposed of at the depot site in accordance with this bylaw.

6. **RECYCLING PREPARATION AND PRE-COLLECTION STORAGE**

- (1) No person who is the owner or occupant of a premises shall:
 - a) allow recycling to accumulate on the premises in a manner or location contrary to the provisions of this bylaw; or
 - b) notwithstanding anything elsewhere in this bylaw, allow recycling to accumulate on the premises in a manner which is contrary to the provision of *The Public Health Act* and the regulations made thereunder, *The Environmental Management Act* and the regulations made thereunder or of a bylaw of the City relating to health, sanitation or nuisances.
- (2) No person shall:
 - a) burn recycling within the City unless authorized to do so in writing by the Fire Chief;
 - b) deposit recycling on any water course, street or public place to which the public has access unless authorized to do so by this bylaw;
 - c) deposit recycling on a premise not owned or occupied by that person unless authorized in writing to do so by the owner or occupier of that premise;

- d) deposit recycling into an approved receptacle not owned or leased by that person unless authorized in writing to do so by the owner or lessee of such approved receptacle.
- (3) An owner or occupant of every premise on which solid waste or recycling is accumulated or from which solid waste or recycling originates shall separate the solid waste into eligible recyclable material residential landfillable solid waste, non-landfillable solid waste and non-residential landfillable solid waste.
- (4) An owner or occupant of every premise from which originates eligible recyclable material shall:
- a) parcel, box, or bag, in a secure fashion and in a fashion approved by the recycling agency or entity, the eligible recyclable material;
 - b) place such parcel, box or bag in a weather and rodent proof container until delivery of same to the recycling agency or entity; and
 - c) store the container in a location on the premise secure from interference by animals and not in the vicinity of residential landfillable solid waste and non-residential landfillable solid waste.
- (5) An owner or occupant of every premise from which originates eligible recyclable material shall:
- a) store recyclable material in an approved receptacle and where the storage of such non-landfillable eligible recycling is the subject of any other Federal or Provincial statute or regulation then in accordance therewith;
 - b) the approved receptacle shall be blue; and
 - c) store the approved receptacle in a location on the premises secure from interference by animals.
- (6) An owner or occupant of every premise from which originates the following described residential eligible recycling material and non-residential eligible recycling material shall:
- a) Empty and flatten all cardboard and paperboard and place loosely in the cart.
 - b) Bag all shredded paper;
 - c) Rinse all household tin cans

- d) Rinse and remove caps from all milk cartons and jugs, plastic soft drink bottles and water bottles.
 - e) Household plastic containers and bottles must have the recycling arrows with a number #1, #2, #3, #4, #5, #6 or #7 on the bottom.
 - f) No cups, dishes, ashtrays, window glass, mirrors, Pyrex, ceramics, light bulbs or crystal
- (7) The following material if in the cart will not be emptied:
- a) Any food contaminated paper, cardboard, cups, or paper plates or soiled tissues, napkins, or paper towels.
 - b) Household garbage of any kind
 - c) Hazardous material such as point chemicals or solvents
 - d) Ashes, dirt or concrete
 - e) Construction material such as boards, roofing materials or carpet
 - f) Automotive parts of any kind, including tires, oil filters or oil
 - g) Propane tanks, electric cords, batteries
 - h) Clear plastic clam shell containers without recycling arrows and numbers 1 through 7
 - l) Plastic Toys or Tupperware
 - m) Outdoor lawn furniture
 - n) Medical waste or diapers
 - o) Styrofoam or other foam packing

7. **RECYCLING RECEPTACLES - RESIDENTIAL**

- (1) The owner or occupant of every premise upon eligible recycling material accumulates or from which recycling material originates shall use the receptacle provided by the contractor.

- (2) The owner or occupant of every premise shall keep the area upon which the approved receptacle is placed during waste collection times in a clean, neat and sanitary condition.
- (3) The contractor shall provide an approved receptacle constructed of a durable material having rust and corrosion resistant surfaces, equipped with lifting lugs for handling by hoist trucks, have a minimum capacity to hold fourteen (14) days of eligible recyclable material generated by the premises on which it is used and shall bear the name of waste hauler.
- (4) The owner or occupant of every premise that uses the approved receptacles to store recyclables, rather than bagging such recyclables to placing in the receptacle, shall be responsible to clean and sanitize the receptacle.

8. **STORAGE OF RECEPTACLES**

- (1) Except as otherwise herein provided, no person store an approved receptacle, upon any portion of a street or boulevard.
- (2) The owner or occupant of every premise shall provide sufficient space on that premise for storage of the approved receptacles.
- (3) The owner or occupant, where front street collection is established, shall place the approved receptacle on the street against the curb or at an approved alternate location no earlier than 6:00 p.m. on the day prior to scheduled collection and removed prior to 8:00 p.m. on the day of collection.
- (4) Except as otherwise herein provided where recycling material is to be collected from a premise where mechanical methods are practised, the owner or occupant shall place the approved-receptacle so as to meet the following requirements, namely:
 - a) location to provide minimum of four decimal three (4.3 m) metres overhead clearance for vehicle access;
 - b) location to provide minimum of six decimal four (6.4 m) metres overhead clearance for vehicle dump mechanism with approved receptacle attached;
 - c) location to provide clear unobstructed access for vehicle, with a minimum turn around radius of ten decimal seven (10.7 m) metres, and not require backup of vehicle;
 - d) located a minimum distance of one decimal (1.2 m) metres from any side boundary of the premises upon which the enclosure is located;
 - e) located a minimum distance from the front property line, of the premises upon which the enclosure is located, equal to the distance of the principal building set back;

- f) located a minimum distance of one decimal two (1.2 m) metres from any rear property line of the premises upon which the enclosure is located where there is no access to the enclosure from an abutting lane and a minimum of three (3.0 m) metres where access to the enclosure is from an abutting lane; and
 - g) located not so as to interfere with on site and off site traffic visibility.
- (5) Where an owner or occupant to which subsection 8(2) herewith applies is unable to comply therewith, the owner or occupant shall contract with an adjoining property owner for storage of an approved receptacle.
 - (6) The City Manager or designate may, where lane collection is established, when having reasonable grounds to believe that snow, rain or street repair or construction renders lanes unusable by a vehicle used for recycling collection, declare such lanes to be unusable and front street collection for the affected residential dwelling location to be in effect for a specified duration and shall cause such declaration to be made known to all owners and occupants of residential dwelling units in the affected areas.
 - (7) All residential recycling in a residential dwelling location shall continue to be collected from the existing collection site unless the City Manager or designate shall so advise the occupant or owner of the residential dwelling unit to the contrary, in writing, or other means of electronic or print media advertising.

10. COLLECTION

- (1) No person shall collect from a residential dwelling location residential eligible recycling material except:
 - (a) occupants or owners of the premises upon which the residential recycling material has originated; or
 - (b) a collector employed by a contractor;
 where the collection is for the purpose of immediate processing at a recycling site.
- (2) No person shall collect, from a location which is not included in the definition of residential dwelling location, non-residential eligible recycling material and residential eligible recycling material waste except:
 - (a) occupants or owners of the premise upon which the residential eligible recycling material has originated; or
 - (b) a collector employed by a waste hauler engaged by the owner or occupant of the premise from which the residential eligible recycling material originates where the collection is for the purpose of immediate disposal at the recycling site.

- (3) No person shall collect eligible recyclable material, except for the purpose of immediate delivery to a recycling facility or recycling collection point.
- (4) No person shall collect eligible recycling material except:
 - (a) occupants or owners of the premises upon which the eligible recycling material has originated; or
 - (b) a collector employed by a waste hauler engaged by the owner or occupant of the premises from which the eligible recycling material originates;

where the collection is for the purpose of immediate delivery to a disposal site other than the recycling site.

- (5) The owner or occupant of a premise, located in a residential dwelling location, upon which residential recycling material or recycling originates shall have such recyclable material collected not less frequently than once every two week period where collection is undertaken by the owner or occupier;
- (6) The owner or occupant of a premise, located in a residential dwelling location, upon which non-residential eligible recycling material originates shall have such eligible recycling disposed of not less frequently than once every two week period.
- (7) The City shall collect bi-weekly, from each residential dwelling unit in a residential dwelling location, an amount of eligible recycling material as set forth in the Rates Bylaw.
- (8) An owner or occupant of a premise upon which eligible recyclable material originates shall have such eligible recyclable material delivered to a recycling facility or recycling collection point a minimum of once every month.
- (9) An owner or occupant of a premise located in an area other than a residential dwelling location, upon which residential recycling or non-residential landfillable recycling originates shall:
 - (a) apply to the City Treasurer or City Manager or designate for waste collection and delivery to the recycling depot;
 - (b) contract with a waste hauler for recycling collection and delivery to the recycling depot;
 - (c) personally complete collection and delivery to the recycling depot.

11. WASTE HAULER

- (1) A recycling hauler, unless it is a contractor, shall not collect, remove or dispose of
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residential recycling from a residential dwelling location.

- (2) The City Manager or designate, where he has reasonable grounds to believe that an owner or occupant of a specific location is in breach of this bylaw, may declare, in writing, such owner or occupant to be in breach of this bylaw, and may provide such declaration to all waste haulers.
- (3) A recycling hauler shall not collect or remove recycling material from a location where the City Manager or designate has notified the recycling hauler that the owner or occupant of such location is in breach of this bylaw.
- (4) A recycling hauler shall not collect or eligible recycling material from a location lying outside of the City for disposal at the landfill site where the City Manager or designate has notified the recycling hauler that the owner or occupant of such location is in breach of this bylaw.
- (5) A recycling hauler shall:
 - a) maintain all vehicles in a clean and sanitary condition; and
 - b) equip such vehicles with watertight bodies or integral covers or separate covers of tarpaulin with fasteners designed to secure all sides of the cover to the vehicle.
- (6) A recycling hauler shall, while conveying recycling material in a vehicle:
 - a) cover the recycling in such a manner that it shall be impossible for any part of the recycling to escape;
 - b) prevent the escape of offensive odours from the vehicle or recycling;
 - c) protect the recycling from flies; and
 - d) where the vehicle is equipped with loading hoppers, operate the vehicle only with the loading hopper empty.
- (7) A recycling hauler shall not deposit recycling material at the landfill site which originates outside of the City unless the occupant or owner of the land upon which the recycling is generated or the municipal corporation in which the recycling material; originates has contracted with the City.

12. **RATES**

- (1) The City shall from time to time set rates for the collection and disposal of recycling services provided by the City.
 - (2) The rates for collection and disposal shall be set by bylaw and such bylaw shall be
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known and cited as the "Rates Bylaw".

- (3) All persons provided with or offered collection services in a residential dwelling location by the City shall pay the rates set out in the Rates Bylaw applicable to such service.
- (4) All persons provided with collection services by the City other than in the residential dwelling location shall pay the rates set out in the Rates Bylaw applicable to such service.
- (5) All persons provided recycling services at the by the City shall, in addition to other compensation referred to in any contract entered into shall pay the rates set out in the Rates Bylaw applicable to such service.
- (6) All rates shall be paid to the City at the office of the City Treasurer within 30 days of the date of issuance of an invoice for the service.
- (8) Where an invoice for services provided by the City for collection of recycling or disposal of recycling is not paid within 30 days of the date of issuance, the City shall charge the person to whom the invoice was issued interest on the amount due from time to time commencing 30 days after the invoice date to date of payment at a rate of interest per annum as set out in the Rates Bylaw.

13. **ENFORCEMENT**

- (1) The City Manager or designate, where he has reasonable grounds to believe that a person is in breach of this bylaw or an agreement made pursuant to this bylaw, may declare such to be a fact and notify the person of such, in writing.
- (2) Where a person is declared to be in breach of this bylaw or an agreement made pursuant to this bylaw and such person is notified to such effect in writing as provided for in subsection 13(1) hereof, the City may discontinue all collection or disposal service provided under this bylaw until the breach is remedied or the person complies with the terms and conditions of the agreement.
- (3) Where a person to whom a recycling collection service is supplied is the owner of the land or building to which the recycling collection service is supplied, the sum payable by him for the recycling collection service and all rates and costs imposed by this bylaw shall constitute a lien on the land and building and a charge on the goods and chattels of the person.
- (4) If a person refuses or neglects to do anything required to be done by him hereunder, the same may be done by the City at the expense of the person in default for which the City shall render to such person an invoice for services.
- (5) Any amount payable to the City for recycling collection and recycling material removal that remains unpaid on December 31 of the year in which the sum becomes payable shall be added to and form part of the taxes on the land and buildings in

respect of which the collection or disposal is done.

14. **VOLUNTARY PENALTY**

- (1) Where the Bylaw Enforcement Officer has reasonable grounds to believe a person has contravened any provision of this bylaw, he may issue a Bylaw Violations Notice in the form set out in Schedule "D" stating a penalty in the amount provided for in the schedule annexed hereto as Schedule "E" that will be accepted by the City in lieu of prosecution.
- (2) Where the person to whom a Bylaw Violations Notice has been served pays the amount of penalty set out therein to the Estevan Police Chief within 15 days of the date of service, such person shall not be liable for prosecution in respect of the contravention specified in the Bylaw Violations Notice.

15. **PENALTY**

- (1) Any person, who contravenes, neglects, omits or fails to comply with any provision of this bylaw is guilty of an offence and liable on summary conviction, to a fine not exceeding Two Thousand Dollars (\$2,000.00) for individuals, Five Thousand (\$5,000.00) Dollars for corporations and in default of payment of the fine, to imprisonment for a term not exceeding sixty (60) days or to both a fine and imprisonment.
- (2) Where the contravention, refusal, neglect, omission or failure to comply continues for more than one (1) day, the person is guilty of a separate offence for each day that it continues.
- (3) The payment of the fines and penalties shall not relieve the person from compliance with this bylaw and shall not relieve the person from the payment of any rates, charges, expenses otherwise payable or from the discontinuance of services herein provided for.

16. **SEVERABILITY**

- (1) If a court of competent jurisdiction should declare any article or portion thereof of this Bylaw to be invalid or inapplicable to any person or circumstances, such article or portion shall not be construed as having any effect upon or impair the remainder of this Bylaw and it is hereby declared that the remainder of the Bylaw shall be valid and remain in force and effect.

17. **SCHEDULES**

- (1) Schedules A, B, C and D hereto annexed as so marked form an integral part of this bylaw and any reference to a specific schedule shall mean a reference to the schedule so marked.

18. **EFFECTIVE DATE**

(1) This Bylaw shall come into force and effect upon the final passing thereof.

CITY OF ESTEVAN


Roy Ludwig,
Mayor



Judy Pilloud,
City Clerk

Read a first time this 30th day of September, 2013.

Read a second time this 30th day of September, 2013.

Read a third time this 30th day of September, 2013.

Certified a true copy of Bylaw 2013-1926 as it appears in the Minute Book of the City of Estevan given under my hand and the seal of the City of Estevan this 1st day of October, 2013


Judy Pilloud, City Clerk



SCHEDULE "A" TO BYLAW 2013-

The following are eligible recycling materials for Single Stream Recycling:

Paper Fibre Materials

- Flattened corrugated cardboard and paperbound
- Newspapers, flyers, inserts, junk mail
- Magazines, catalogues, paperback books, hard covered books with covers and spine removed
- Brown paper bags, tissue roll cores, gift and packing paper, paper egg cartons
- Telephone books
- Shredded paper (bagged)

Containers & Glass

- Aluminium soft drink and beer cans
- Household tin cans
- Milk cartons and jugs
- Juice cartons, boxes and aseptic containers
- Plastic soft drink and water bottles
- Plastic shopping bags and Plastic Food Wrap
- Household Plastic containers and bottles
- Glass liquor bottles – Household glass; clear, green or brown

*The recycling depot is located at 400 Industrial Road, Bienfait, SK S0C 0M0

The following are considered **not** recyclable materials for Single Stream Recycling:

- Any food contaminated paper, cardboard, cups, paper plates or soiled tissues, napkins and paper towels.
- Styrofoam or other foam packing
- Garbage of any kind
- Medical waste or diapers
- Hazardous materials such as paint, chemicals or solvents
- Ashes, dirt or concrete
- Construction material such as boards, roofing materials and carpet
- Automotive parts, tires, oil filters or oil, tree clippings, liquids of any kind, animals or animal parts.
- Propane tanks, electrical cords, batteries
- Clear plastic clam shell containers without recycling arrows and numbers 1 through 7
- Outdoor lawn furniture

The following are the collection points or recycling facilities and the products recycled in the City, namely:

Estevan Diversified Services/SARCAN
1339 - 6th Street
Estevan, Saskatchewan

- dealing with recycling of electronics, paint and beverage containers.

Recycle Depot - Drop Off
Sixth Street & Souris Avenue
Estevan, Saskatchewan

- dealing with cardboard, paper, fibre, newsprint and glossy magazines

Harris Oilfield Construction Ltd
83 Escana Street
Estevan Saskatchewan

- dealing with used oil, filters and containers

Regens Disposal Ltd
216 Souris Avenue
Estevan, Saskatchewan

- dealing with used oil, filters and containers

SCHEDULE "B" TO BYLAW 2013-

DATE:

WASTE HAULER:

COLLECTOR/DRIVER:

Pickup Time	Location City address/Company	Contents See reverse for classification	Approximate volume m ³

I, the driver/collector having personally made the above pickups certify the above information to be correct.

_____ Sign

SCHEDULE "C" TO BYLAW 2013

BYLAW VIOLATION NOTICE OF BYLAW 2013

CITY OF ESTEVAN

VOLUNTARY PAYMENT OF FINE

Details of Violation

Name of Owner/Occupant _____

Address of Owner/Occupant _____

On the _____ day of _____, 20__ at Estevan, Saskatchewan at _____ did unlawfully commit the following offence under the City of Estevan Recycling Bylaw 2013-_____, Sec. No. _____, Subsection _____.

Description of Offence: _____

Location of Violation: _____

Please pay as indicated:

_____ First Offence **\$100.00**

_____ Second or Subsequent Offence **\$200.00**

Issued By: _____

Date of Issue: _____

The Voluntary Penalty may be paid in person at City of Estevan Police Station, Estevan, Saskatchewan, during regular office hours or by mail addressed to the Police Chief of Estevan Police Service, Estevan, Saskatchewan, 301 – 11th Avenue S4A 1C7.

Voluntary Payment of the fine within fifteen (15) days after service of this Bylaw Violation Notice upon the owner/occupant results in the owner/occupant not being liable for prosecution for the offence.

Failure to remit the fine within fifteen (15) days after service of this Notice of Violation may result in issuance of a Summons.

SCHEDULE "D" TO BYLAW 2013-

- Voluntary penalty payment in lieu of prosecution for a specific offence

- | | | | |
|----|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 1. | First offence: | | |
| | 1.1 | General prohibitions: | |
| | | (a) Unauthorized burning or littering | \$100.00 |
| | 1.2 | Transportation: | |
| | | (a) Failure to cover vehicles carrying solid or liquid recycling | \$100.00 |
| | 1.3 | Collection: | |
| | | (a) Failure to supply an adequate number of containers or receptacles | \$100.00 |
| | | (b) Failure to place waste into receptacles or containers | \$100.00 |
| | | (c) Failure to provide properly sized receptacles or containers or place them at prescribed locations | \$100.00 |
| | 1.4 | Disposal: | |
| | | (a) Failure to submit prescribed written authorization or manifests prior to disposal of wastes at the landfill site | \$200.00 |
| | | (b) Failure to dispose recycling materials at prescribed locations or recycling depot | \$200.00 |
| | | (c) Failure to follow procedures prescribed to prevent littering or migration of litter when disposing recycling or other wastes at the recycling depot. | \$200.00 |
| | | (d) causing damage to depot or facilities wilfully or by failure to follow instructions prescribed by the City Manager or designate. | \$100.00 |
| | | (e) Unauthorized scavenging, entry or loitering | \$200.00 |
| 2. | For each subsequent infraction within any twelve (12) month period: | | |

Voluntary penalties shall be doubled to \$200.00 for articles 1.1 to 1.3 inclusive and to \$400.00 for article 1-4 herein.