



Town of Shellbrook

Bylaw No. 2024-0003

A Bylaw of the Town of Shellbrook to provide rules and regulations surrounding Garbage & Recycling

The Mayor and Council of the Town of Shellbrook, in the Province of Saskatchewan, enacts as follows:

Short Title

1. This Bylaw may be cited as "Garbage & Recycle Bylaw".

Definitions

2. In this Bylaw:
 - a. **"Approved container"** means a container for disposal of waste that meets the requirements of this Bylaw and that has been approved for use in the Town by the Manager of Municipal Operations;
 - b. **"Automated collection"** means the collection of waste by a system of mechanical lifting and tipping of containers into specially designed vehicles;
 - c. **"Bin"** means an approved container of a size greater than one half cubic meter that is capable of automated collection;
 - d. **"Commercial cooking grease"** means cooking grease generated by an industrial, commercial or institutional premises;
 - e. **"Commercial cooking grease container"** means an approved container used for disposal of commercial cooking grease;
 - f. **"Commercial premises"** means a premises principally used for the conduct of a profession, business or undertaking, and includes any premises that is not a residence or a premises connected to a residence, but does not include an industrial or institutional premises;
 - g. **"Commercial waste container"** means an approved container for use at industrial, commercial or institutional premises that is capable of automated collection, and includes a bin, roll-out cart and stationary container;
 - h. **"Community Safety Officer"** means the Officer appointed by Council to oversee the safety and well-being of the community.
 - i. **"Composting"** means the managed practice of recycling food and yard waste through biological degradation in a compost container to create a useable soil conditioner;
 - j. **"Compost container"** means a container or structure used or intended to be used for composting;



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- i. **“Dwelling unit”** means a dwelling unit as defined in the Zoning Bylaw;
- ii. (j.2) **“elm tree”** means an elm tree as defined in The Dutch Elm Disease Regulations, 2005;
- k. **“Food and yard waste”** means organic material but does not include:
 - i. Dairy products, including milk, yogurt, butter and cheese;
 - ii. Solidified fats, cooking oils, and food grease; and
 - iii. Meat, seafood, giblets and bones;
- l. **“Garbage”** means any waste other than commercial cooking grease, organic material, recyclable material, and unacceptable waste;
- m. **“Garbage container”** means an approved container for collecting garbage;
- n. **“Manager of Municipal Operations”** The employee hired to oversee the Public Works Department of the Town of Shellbrook, or any person acting under his/her instructions, or any other person designated by the Town Council.
- o. **“Industrial premises”** means a premises principally used for manufacturing, processing, assembling, cleaning, servicing, repairing, testing, storage, distribution or warehousing of materials, goods or equipment;
- p. **“Institutional premises”** means a premises principally used as a temporary place of abode, including a hotel, motel, school, dormitory, church, prison, senior citizens home, special care home, community home and hospital, but does not include a residence;
- q. **“Medical health officer”** means a medical health officer for the Saskatchewan Health Authority;
- r. **“Occupant”** means an occupant as defined in The Municipalities Act;
- s. **“Owner”** means an owner as defined in The Municipalities Act;
- t. **“Organic material”** means any organic material listed in Schedule “A”;
- u. **“Organic material container”** means an approved container for collecting organic material;
- v. **“Recyclable material”** means any material listed in Schedule “B”;
- w. **“Recycling container”** means an approved container for collecting recyclable material;
- x. **“Residence”** means a dwelling of any type as defined in the Zoning Bylaw;
- y. **“Roll-out cart”** means an approved container on wheels, designed for automated collection, that is either:
 - i. approximately 0.24 cubic metres in volume; or
 - ii. approximately 0.4 cubic metres in volume;
- cc. **“Scavenge”** means the unauthorized interference with, or the unauthorized inspection, disturbance, disruption or removal of, waste;



- dd. **“Unacceptable waste”** means any that may be considered hazardous material, combustible material, automobile waste, and asbestos;
- ee. **“Waste”** includes commercial cooking grease, garbage, organic material, recyclable material, and unacceptable waste;
- ff. **“Waste container”** means any approved container, including a bin, commercial cooking grease container, commercial waste container, garbage container, organic material container, recycling container, roll-out cart and stationary container;

Purpose

- 3. The purpose of this Bylaw is to protect the health and welfare of people and the environment by regulating the collection, handling and disposal of waste within the Town.

General Prohibitions

- 4. The Town of Shellbrook will provide roll out garbage and recycle bins to every residential lot within Town limits where applicable. All dwellings must have one garbage bin and one recycle bin. In the case of multifamily dwellings, there must be a minimum of one bin for every 2 dwellings.
- 5. Except with prior approval of the Manager of Municipal Operations, no person shall:
 - a. place or store waste in a recycling container other than recyclable material;
 - b. place or store waste in an organic material container other than organic material;
 - c. place waste in a waste container in a manner that prevents the lid from freely and completely closing;
 - d. overfill a waste container so that waste may fall to the ground;
 - e. place waste on top of a waste container;
 - f. place waste on the ground near a waste container;
 - g. allow any waste container to remain on a public right-of-way for more than 48 hours preceding collection day;
 - h. allow any waste to improperly be disposed of;
 - i. fail to flatten and bundle cardboard prior to disposal;
 - j. fail to thoroughly drain all garbage, and wrap and securely tie it in a paper or plastic bag prior to disposal;
 - k. deposit waste that exceeds 0.5 meters in length in a waste container;
 - l. fail to ensure that all garbage capable of becoming putrid is contained in a sealed bag or container prior to disposal; or
 - m. fail to ensure that all sharp or pointed objects are wrapped or contained in a puncture proof and sealed container prior to disposal.



Accumulation of Waste Prohibited

6. No owner or occupant of any land or building shall allow waste of any kind to accumulate in or on the land or building, except as permitted in this Bylaw. The owner shall ensure that all waste is disposed of in a manner that does not become unsightly or unsanitary.

Scavenging Prohibited

7. (1) No person shall scavenge waste from a waste container except:
 - a. the owner or occupant of a property to which the waste container is assigned;
 - b. a person permitted by the owner or occupant of a property to which a waste container is assigned;
- (2) No person shall scavenge waste from a waste collection vehicle except the owner or operator of the vehicle or a person authorized.

Disposal of Waste on Public or Private Property

8. No person shall dispose of waste, or food and yard waste, anywhere in the Town other than in a waste container assigned to the property.

Industrial, Commercial and Institutional Premises

9. The owner and occupant of an industrial, commercial or institutional premises will have the option to source their own collection bins from third parties of their choosing.

Disposal of Cooking Grease

10. The owner and occupant of an industrial, commercial or institutional premises shall ensure that commercial cooking grease is deposited into a commercial cooking grease container and disposed of in a sanitary manner. Cooking grease shall not be disposed of into the sanitary or storm sewer. If stored outside, operators shall ensure the containers do not create a nuisance due to infrequent cleaning or spillage of oil.

Construction Vehicles

11. (1) No owner or operator of any vehicle leaving property where the construction, alteration or demolition of a building, structure or landscaping is occurring shall:
 - a. allow any earth or waste to be deposited upon a street or sidewalk by or from such vehicle; or



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- b. fail to remove from the street or sidewalk any and all earth or waste deposited by or from such vehicle.

(2) If such earth or waste is not removed from the street or sidewalk by the owner or operator of the vehicle, the Town may remove the earth or waste, and the costs of so doing are a debt due to the Town by the owner or operator.

Disposal of Unacceptable Waste

12. No person shall dispose of unacceptable waste anywhere in the Town except at a site approved by the provincial government to accept unacceptable waste.

Removal of Improperly Disposed Waste

13. A person who has disposed of or placed waste contrary to this Bylaw shall remove the waste or cause the waste to be removed upon being directed to do so by:
- a. The owner or occupant of the land on which the waste was disposed of or placed;
 - b. The Manager of municipal operations ;
 - c. A medical health officer;
 - d. The Fire Chief of the Shellbrook Fire Department;
 - e. A Community Safety officer;

Residential Composting

14. (1) No person shall dispose of food and yard waste anywhere in the Town except:
- (a) in accordance with this section;
 - (b) as organic material in accordance with this Bylaw; or
 - (c) with prior approval of the Manager of Municipal operations.

(2) The owner or occupant of a residence may dispose of food and yard waste in a compost container on the property of that residence, and shall ensure that:

- (a) only food and yard waste that was generated at the property is placed or stored, or allowed to be placed or stored, in compost containers on the property;
- (b) the compost containers are situated entirely on the property;
- (c) all food and yard waste is contained in the compost containers; and
- (d) the compost containers are maintained to prevent:
 - (i) offensive odors; and
 - (ii) attracting pests.



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(3) Except with prior approval of the Manager of Municipal Operations, no person shall:

- (a) place or store waste in a compost container on a property other than food and yard waste that was generated at that property; or
- (b) store a compost container or food and yard waste on Town property or a public right-of-way, including a back alley.

Access to Waste Containers

15. The owner or occupant of a property shall ensure that there is unobstructed access to waste containers when they are set out for collection.

Use of Waste Containers

16. The owner or occupant shall ensure maintain the waste and recycle container. No person shall place waste in any waste container except where:

- a. That person is the owner or occupant of the property to which the waste container is assigned; or
- b. That person is permitted by the owner or occupant of the property to which the waste container is assigned to place waste in that waste container.

Removal of Containers

17. The owner or occupant of a property shall ensure the waste containers and recycling containers are removed from the street a minimum of 48 hours after they have been placed out for collection. Failure to do so is a contravention of this bylaw and fines will be administered as per Fees and Fines Bylaw.

Adding Amounts to Tax Roll

18. The Town, in accordance with The Municipalities act, add any unpaid expenses or costs incurred by the Town in remedying a contravention of this Bylaw to the tax roll of the property on which the contravention occurred.

Responsibility

19. Unless otherwise specified, the owner or occupant of a property is responsible for complying with this Bylaw, and both may be held jointly or severally liable for a contravention of or failure to comply with this Bylaw.

Offences

20. (1) No person shall:

- a. contravene or fail to comply with any provision of this Bylaw;
- b. contravene or fail to comply with an order made pursuant to this Bylaw;
- c. contravene or fail to comply with any term or condition imposed by the Manager of



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Municipal Operations pursuant to this Bylaw;

- d. obstruct or interfere with the Community safety Officer or any other person acting pursuant to the authority of this Bylaw; or
- e. fail to provide their name, address and date of birth upon request by an Community Safety Officer or any other person acting pursuant to the authority of this Bylaw.

Notice of Violation for First and Second Offences

21. A Community Safety Officer may issue a notice of violation to any person who has committed a first or second offence listed in the Fees and Fines Bylaw in the amount listed as the specified fixed or minimum penalty for that offence in the Fees and Fines Bylaw.

Owner of Vehicle Liable

22. Notwithstanding any other provision of this Bylaw, the owner of any vehicle involved in the commission of an offence or destruction of bin shall be liable for the offence, as well as any other person who may have committed the offence, unless that vehicle owner satisfies the Court that, at the time of the offence, the vehicle was:

- a. not being operated by the owner and had not been parked or left by the owner;
- b. not being operated and had not been parked or left by any authorized person in charge of the vehicle.
- c. was not used to damage the bin through an act of vandalism or violence.

SEE FEES and FINES BYLAW For Applicable Fines



Amund Otterson, Mayor

Kelly Hoare, Chief Administrative Officer