

**Town of Nipawin
Bylaw No. 1150/22**

**A BYLAW OF THE TOWN OF NIPAWIN TO PROVIDE FOR THE PROPER COLLECTION AND
DISPOSAL OF WASTE AND RECYCLING WITHIN THE TOWN OF NIPAWIN**

Contents

Short Title.....	3
Purpose	3
Authority	3
Definitions.....	3
General Provisions for the Collection and Disposal of Waste and Recycling	6
Collection Frequency.....	7
Accumulation of Waste Prohibited	7
Depositing Waste on Public or Private Property.....	7
Waste Containers.....	8
Damage to Waste Containers	8
Refusal to Empty Waste/Recycling Container	9
Improperly Prepared or Placed Waste/Recycling	9
Stationary Container Construction Standards	9
Inadequate Property Space	9
Special Collection Areas	10
Conveyance of Waste Through Town	10
Waste Collection from Residences	10
Waste Collection from Multiple-Unit Residences	11
Maximum Volume	11
Waste Collection from Commercial, Industrial, and Institutional Premises	11
Maximum Volume	11
Cooking Grease	12
Other Waste.....	12
Construction Waste	12
Compost.....	12
Enforcement, Offences, and Penalties	13
Enforcement of Bylaw	13
Inspections.....	13
Offences and Penalties.....	13
Penalty.....	13
Notice of Violation	14
Order to Remedy Contraventions	14
Registration of Notice of Order	14
Appeal of Order to Remedy.....	14
Municipality Remedying Contraventions	14
Emergency	15
Recovery of Unpaid Expenses and Costs.....	15

Miscellaneous	15
Severability	15
Compliance with Other Statutes and Bylaws.....	15
Repeal.....	15
Coming into Force.....	15 1645
SCHEDULE "A"	17
Waste & Recycling Bins and Collection Frequency.....	17
SCHEDULE "B"	18
Notice of Violation Minimum Penalties.....	18

Town of Nipawin

Bylaw No. 1150/22

A BYLAW OF THE TOWN OF NIPAWIN TO PROVIDE FOR THE PROPER COLLECTION AND DISPOSAL OF WASTE AND RECYCLING WITHIN THE TOWN OF NIPAWIN

The Council of the Town of Nipawin, in the Province of Saskatchewan enacts as follows:

PART I

Short Title

1. This Bylaw may be cited as The Waste Collection and Disposal Bylaw.

Purpose

2. The purpose of this Bylaw is to protect the health and welfare of people and provide for the abatement of nuisances and the protection of the environment by regulating and monitoring the collection, handling, and disposal of waste and recyclable material within the Town.

Authority

3. The authority for this Bylaw is *The Municipalities Act*.

Definitions

4. In this Bylaw:
 - (a) **Approved Container** means a container that meets the requirements of this Bylaw and has been approved for use in the Town by the Director of Works, Utilities & Engineering;
 - (b) **Automated Collection** means the collection of waste by a system of mechanical lifting and tipping of containers into specially designed vehicles;
 - (c) **Building Waste** means unwanted material produced directly or incidentally by construction. Industries including but not limited to insulation, nails, electrical wiring, shingles, drywall, and roofing materials or waste originating from site preparation such as dredging materials, tree stumps, and rubble;
 - (d) **Chief Administrative Officer (CAO)** means the Administrator of the Town of Nipawin;
 - (e) **Commercial Cooking Grease Container** means an approved container used for disposal of commercial cooking grease;
 - (f) **Commercial Premise** means a premise principally used for the conduct of a profession, business, or undertaking and includes any premise that is not a residence, or the premises connected therewith, but does not include an industrial or institutional premise;

- (g) Compost** means those items suitable for the formation of compost, including but not limited to: eggshells, coffee grounds and filters, tea bags, raw or cooked fruit and vegetable wastes, moldy bread, green grass clippings, dry leaves, and dead plants;
- (h) Contractor** means a contractor hired by the Town to collect and remove waste;
- (i) Council** means the council of the Town of Nipawin;
- (j) Designated Officer** means any member of the Royal Canadian Mounted Police or any employee of the Town of Nipawin designated with responsibility for enforcing this bylaw, including, but not limited to, the Chief Administrative Officer, the Bylaw Enforcement Officer, the Fire Chief, and/or any other person designated by the CAO;
- (k) Director of Works, Utilities & Engineering** means the person in charge of Waste Collection and Disposal in the Town or designate;
- (l) Garbage Can** means a container used for manually tipping waste into a waste collection vehicle and that meets the requirements of this Bylaw;
- (m) Household Waste** means waste originating from domestic activities at a residence, and includes:
- (i) putrescible organic waste produced as a by-product of the handling, preparation, cooking, consumption, or storage of food;
 - (ii) non-putrescible materials including but not limited to packaging material, clothing, containers, paper products, small appliances, household items, and diapers;
 - (iii) non-hazardous remains, by-products, or discarded materials; and
 - (iv) yard waste including grass clippings, leaves, branches, trees, garden matter, soil, sod, or dirt.
- (n) Industrial Premise** means a premise principally used for manufacturing, processing, assembling, cleaning, servicing, repairing, testing, storage, distribution, or warehousing of materials, goods, or equipment;
- (o) Institutional Premise** means a premise principally used as a temporary place of abode and includes, but is not limited to, a hotel, motel, school, church, prison, senior citizens home, special care home, community home, and hospital but does not include a residence as defined in this Bylaw;
- (p) Landfill Site** means a Provincially approved site for the disposal of waste;
- (q) Multiple-Unit Residence** means a building or portion thereof designed for or occupied as five or more residences but does not include an institutional premise;

- (r) **"Notice of Violation"** means the notice prescribed by the *General Penalty Bylaw*;
- (s) **Occupant** means:
- (i) a person residing on land or in a building;
 - (ii) a person entitled to the possession of land or a building if there is no person residing on the land or in the building; or
 - (iii) a leaseholder.
- (s) **Owner** means a person who has any right, title, estate or interest in land or improvements other than that of a mere occupant, tenant, or mortgagee;
- (t) **Putrescible** means waste that is capable of decomposing with sufficient rapidity so as to cause a nuisance from odours or gases, or that is likely to attract birds, insects, snakes, rodents, or other animals, or that may otherwise be a health risk;
- (u) **Recyclable Material** means any material collected for the purpose of recycling or reuse;
- (v) **Residence** means a dwelling of any type as defined in the Zoning Bylaw;
- (w) **Roll-Out Cart** means a container on wheels approximately 95 Gallons in volume and designed for automated collection;
- (x) **Special Collection Area** means an area prescribed by the Director of Works, Utilities & Engineering where, because of its configuration, normal collection practices are impractical, and includes, but is not limited to, areas such as a cul-de-sac, a townhouse complex or a narrow lane;
- (y) **Special Waste** means:
- (i) manure;
 - (ii) spoiled grain, other agricultural wastes and;
 - (iii) wire; and
 - (iv) any other waste that the Director of Works & Utilities determines requires special handling.
- (z) **Stationary Container** means a container intended to be used for waste collection from more than one residence or for commercial use that is approximately three (3), six (6) or eight (8) yards in volume and capable of automated collection. This includes roll-off containers ranging in size from twelve (12) to thirty (30) yards;
- (aa) **Summary Conviction** means proceedings commenced upon by way of offence notice, summons, summary offence ticket, or summons ticket as prescribed in *The Summary Offences Procedure Act of Saskatchewan and The Summary Offences Procedure Regulations of Saskatchewan*;
- (bb) **The Bylaw** means the Waste Collection and Disposal Bylaw;

(cc) **Town** means the Town of Nipawin and includes all property within the corporate boundaries thereof.

(dd) **Unacceptable Waste** includes:

- (i) hazardous waste;
- (ii) liquids; and
- (iii) tires.

(ee) **Waste** means any discarded organic or inorganic material, including household waste, special waste, and unacceptable waste that:

- (i) the owner or possessor thereof does not wish to retain;
- (ii) must be disposed of due to health reasons; or
- (iii) must be disposed of to ensure that the amenity of the area in which it exists is not adversely affected.

(ff) **Waste Container** means any container approved for waste collection, including, roll-out carts, stationary containers, garbage cans, and commercial cooking grease containers.

5. When a word or phrase appears in the Bylaw with the first letter(s) of each word capitalized, the word or phrase shall have the same meaning as outlined in the definitions of the Bylaw.
- (a) a word or phrase defined in the definition section of the bylaw and first letter(s) of each word is not capitalized, the word or phrase shall be interpreted to have ordinary meaning.

PART II

General Provisions for the Collection and Disposal of Waste and Recycling

6. The Council of the Town shall provide for the collection, removal, and disposal of waste and recyclable material within the limits of the Town by contract with any person on any terms and conditions that the Council considers expedient.
7. Separation of acceptable recyclable materials from the main waste stream will be mandatory for all properties, regardless of tax classification. Individual property owners will be responsible to ensure recyclable material and other waste are separated to the greatest extent possible.
8. The Town may dispose of, recycle, or reuse in any manner all waste or recyclable material delivered to or collected by the Town.
9. The Town of Nipawin shall not provide collection for any of the following or similar items:
- (a) From any premises:
- (i) unacceptable waste;
 - (ii) special waste;
 - (iii) building materials and building wastes; or
 - (iv) dead animals.
- (b) From residential premises:
- (i) furniture, mattresses, household equipment, private vehicles, and automobile parts, including tires;

- (ii) tree limbs, whole shrubs, bushes, or portions of hedges;
- (iii) fences, gates, and other permanent and semi-permanent fixtures on the premises;
- (iv) any household chattel, material, or equipment with an overall weight of more than 34 kg of which is improperly prepared for collection; or
- (v) any volumes exceeding those specified in Section 38.

- (c) From commercial, industrial, or institutional premises:
 - (i) heavy machinery;
 - (ii) by-products of manufacturing;
 - (iii) heavy or bulky wrapping, or wood or plastic crating materials;
 - (iv) restaurant grease or oil;
 - (v) automotive grease or oil, including but not limited to, oil filters and containers;
 - (vi) cars, car bodies, windshields, or car parts;
 - (vii) scrap metal;
 - (viii) any volumes exceeding those specified in Section 49;
 - (ix) special waste; or
 - (x) unacceptable waste.

- 10. The following premises shall not have waste or recyclable material collected by the Town, but shall maintain collection and disposal services in accordance with this bylaw:
 - (a) The Saskatchewan Health Authority, excluding the Community Health Services Centre.
 - (b) Any premises owned by the Northeast School Division, excluding school division offices.

- 11. Those items mentioned in Section 9(b) may be collected by the Town upon approval of the Director of Works, Utilities & Engineering.

Collection Frequency

- 12. The collection and disposal of waste and recyclable material in the Town of Nipawin, subject to such modifications as may be deemed necessary by the Director of Works Utilities & Engineering shall alternate weekly between waste collection and recycle collection as follows in accordance with Schedule "A" of this bylaw:
 - (a) All categories of Residential: once per week.
 - (b) Downtown Commercial only: waste and recycle to be collected each week.
 - (c) Other commercial/industrial: once per week.
 - (d) at the Director of Works, Utilities and Engineering's discretion for all premises not included in Section 11 a), b) and c) above.

- 13. Any person undertaking the removal and disposal of waste generated from their own premises shall do so at least bi-weekly.

Accumulation of Waste Prohibited

- 14. 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.

Depositing Waste on Public or Private Property

- 15. No owner or occupant of a property shall place any waste in any waste container except in the container assigned to that property.

16. No person shall dispose of any waste anywhere in the Town other than in a waste container or at a Provincially approved Landfill Site.

Waste Containers

17. The owner or occupant of property shall ensure that there is unobstructed access to waste and recycling containers.
18. Roll-out carts shall not be removed from any property by the property owner or occupant or used for any purpose other than as permitted in this Bylaw.
19. Roll-out carts shall be stored on the property to which they are assigned when not placed out for collection in such a manner that:
 - (a) they are as inconspicuous as possible;
 - (b) they are in close proximity to the buildings located on the property; and
 - (c) is not unsightly as to affect the amenity of a neighborhood.
20. Roll-out carts shall be:
 - (a) set out at the prescribed location by 7:00 a.m. on collection day and placed:
 - (i) at least 0.90 metres (3 feet) from any obstructions such as parked vehicles; and
 - (ii) so that they will not be likely to overturn; and
 - (b) removed from the street or alley as soon as possible, and in any event within the time prescribed in Section 20 below.
21. No person shall allow any waste container to remain on a street, road, alley, or boulevard for more than 12 hours.
22. No person shall deposit special or unacceptable waste into any waste container. Any waste container containing special or unacceptable waste shall not be picked up in accordance with Section 27 below.
23. No person shall remove, disturb or disrupt the contents of a waste container other than:
 - (a) the owner or occupant of a property to which a waste container is assigned;
 - (b) a person permitted by the owner or occupant of a property to which a waste container is assigned;
 - (c) the Town; or
 - (d) a contractor authorized by the Town to remove waste

Damage to Waste Containers

24. No person shall cause or permit any loss of or damage to a Town-owned waste container, or to a waste container provided by a contractor authorized by the Town to remove waste.
25. It shall be the responsibility of the owner or occupant of any premise to which a roll-out cart is provided to maintain the cart in good condition.
26. The costs of repairing any damage to or replacement of a roll-out cart shall be the responsibility of the owner or occupant of the premises to which the roll-out cart was provided.

27. The Town may, at any time, remove, repair, or replace any obsolete, damaged or non-serviceable roll-out cart at the cost of the owner or occupant of the premises to which the roll-out cart was provided.

Refusal to Empty Waste/Recycling Container

28. The Town may refuse to empty any waste/recycling container that:
- (a) is unclean or unsanitary;
 - (b) is improperly placed;
 - (c) is not accessible to the waste collection equipment;
 - (d) is locked or is in an enclosure that is locked;
 - (e) contains improperly prepared or placed waste, special waste, or unacceptable waste;
 - (f) poses a danger to the safety of the waste collection workers;
 - (g) may cause damage to the Town's equipment, or to the equipment of a contractor authorized by the Town to remove waste;
 - (h) in combination with its contents exceeds the allowed weight; or
 - (i) is not an approved waste container.

Improperly Prepared or Placed Waste/Recycling

29. No person shall:
- (a) overfill a waste/recycle container so that waste may fall to the ground;
 - (b) place waste on top of a waste/recycle container; or
 - (c) place waste on the ground near a waste/recycle container.
30. The owner or occupant of a residence, commercial premise, industrial premise, or institutional premise shall:
- (a) thoroughly drain, wrap, and securely tie all waste in paper or in a plastic bag;
 - (b) flatten and bundle cardboard for recycle;
 - (c) ensure waste does not exceed 0.5 m in length;
 - (d) ensure that all putrescible waste is in a sealed bag or container; and
 - (e) ensure that all sharp or pointed objects are wrapped or contained.

Stationary Container Construction Standards

31. All stationary containers shall be constructed of metal or non-combustible material.

Inadequate Property Space

32. All new buildings where there is not adequate space available for a roll-out cart or stationary container on the property outside the building, which are accessible to collection vehicles, must include a garbage or refuse storage room inside the building that meets the following conditions:
- (a) the garbage or refuse storage room must conform to any existing National Building Code standards and/or National Fire Code standards as adopted by bylaws of the Town;
 - (b) the room shall be of sufficient size to hold the number of commercial containers required to store the expected volume of waste generated between pick-ups;
 - (c) the room must be located so that its exit is readily accessible to collection vehicles; and
 - (d) owners must ensure the waste is placed at the prescribed location by 7:00 a.m. on the scheduled date of collection, so the Town or its contractor may dispose of the waste.

Special Collection Areas

33. Where the Director of Works & Utilities has prescribed a special collection area:
- (a) a special collection area layout plan for roll-out cart placement shall be provided to each resident of the special collection area; and
 - (b) owners or occupants shall store and set out roll-out carts in accordance with the special collection area plan and this Bylaw.

Conveyance of Waste Through Town

34. No person shall transport or cause to be transported any waste in the Town unless proper measures, including at least one of the following, are taken to prevent the waste or any portion of it from escaping from the vehicle:
- (a) the waste is in a covered container;
 - (b) the waste is covered with a tarpaulin or other suitable covering; or
 - (c) the waste is securely tied down or fastened.
35. No person shall transport or cause to be transported in the Town any offal from slaughterhouses or butcher shops, or any swill or waste of an offensive nature unless the part of the vehicle containing the waste is:
- (a) watertight;
 - (b) constructed in such manner that it is impossible for any part of the contents to escape;
 - (c) covered so that flies cannot come in contact with the contents; and
 - (d) constructed in such a manner that offensive odours cannot escape.
36. No person shall allow any vehicle transporting waste referred to in Section 34 to stand in any street longer than is absolutely necessary, and in any case for more than thirty minutes, except in the case of an emergency.
37. No person shall leave any vehicle carrying a full or partial load of waste parked overnight on any street.

PART III

Waste Collection from Residences

38. Each residence shall be provided with a **maximum** of one roll-out cart each for waste and recyclable material in accordance with Schedule "A" of this bylaw for the sole use of the owner or occupant of the residence, providing:
- (a) a residential improved base tax is levied to the property; and
 - (b) waste is produced at the residence.
39. The volume collected by the Town at any residential premises per week shall not exceed 95 gallons, which is equivalent to one (1) roll-out cart.
40. A stationary container designated for use by a single residence shall be located entirely on the property of the residence.
41. Stationary containers shared by residences on the property shall be located on the property(s) of the residences.

42. Property owners may obtain one (1) additional roll-out garbage and/or recycling cart, stationary or roll-off container from a Town-approved hauler at the property owner's expense which shall include the applicable landfill fees.

PART IV
Waste Collection from Multiple-Unit Residences

43. The owner of a multiple-unit residence larger than an eightplex shall be provided with a maximum of four (4) roll-out carts each for waste and recyclable material in accordance with Schedule "A" of this bylaw. These multiple-unit residential buildings will have the option of being provided instead with one three (3) yard which is equivalent to 1.45 cubic metre capacity stationary container each for waste and recyclable material.
44. Stationary containers shall be placed only on the property of the multiple-unit residence.

Maximum Volume

45. Any multiple-unit residential premise that exceeds a volume of 1.45 cubic meters of waste, which is equivalent to four (4) roll-out carts, shall provide, at their own expense, appropriate containers for collection of both solid waste and recycling material in excess of the allowed volume, and shall be responsible for the disposal of such excess material and the associated costs thereof.
46. Stationary containers shall be placed in such a manner so as to prohibit liquids from leaking out.
47. The lid of all stationary containers excluding containers being used for construction purposes must remain closed at all times except when material is being deposited into the container or while the container is being emptied.

PART V
Waste Collection from Commercial, Industrial, and Institutional Premises

48. All waste from commercial, institutional, and industrial premises within the Town shall be disposed of at a Provincially approved waste disposal site or recycling centre.
49. Each commercial, industrial and institutional premise shall be provided with one (1) roll-out cart each for waste and recyclable material in accordance with Schedule "A" of this bylaw for the sole use of the owner or occupant of the premise, providing:
- (a) a commercial improved base tax is levied to the property; and
 - (b) waste is produced at the commercial, industrial, or institutional premise.

Maximum Volume

50. Any commercial, industrial, or institutional premise that exceeds a volume of 95 Gallons of waste, which is equivalent to one (1) roll-out cart, shall provide, at their own expense, appropriate containers for collection of both solid waste and recycling material in excess of the allowed volume, and shall be responsible for the disposal of such excess material and the associated costs thereof.

51. The owner of a commercial, industrial, or institutional premise shall ensure that the waste container lid remains closed except while material is being deposited into the container or while the container is being emptied.

Cooking Grease

52. No owner or occupant of any commercial, institutional, or industrial premises shall:
- (a) dispose of commercial cooking grease except in a commercial cooking grease container; or
 - (b) fail to maintain a commercial cooking grease container in a clean and sanitary state.

PART VI Other Waste

Construction Waste

53. Any owner or contractor carrying landscaping or the construction, alteration or demolition of a building or structure on any property shall:
- (a) place all waste into a suitable waste container or enclosure;
 - (b) in a timely manner, dispose of all waste resulting from landscaping or the construction, alteration, or demolition so as to ensure there is no unreasonable accumulation of waste on the property during and after the landscaping or the construction, alteration, or demolition; and
 - (c) take all reasonable steps as may be necessary to prevent the waste from being dispersed, by wind or in any other manner, on or around the property or surrounding properties during the landscaping or the construction, alteration or demolition.

Construction Vehicles

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

Compost

55. Compost shall be picked up once weekly between the first Wednesday of May and the first Wednesday of November.
56. Compostable materials shall be placed in roll-out carts purchased from the contractor, in garbage cans, or in compostable paper bags.
57. Compost placed in plastic bags will not be picked up.

Part VII
Enforcement, Offences, and Penalties

Enforcement of Bylaw

58. The administration and enforcement of this Bylaw is hereby delegated to the Chief Administrative Officer of the Town.
59. The CAO is hereby authorized to further delegate the administration and enforcement of this Bylaw to another employee of the Town including, but not limited to, the Designated Officer or authorized representative.

Inspections

60. The Designated Officer is hereby authorized to carry out inspections in accordance with Section 362 of *The Municipalities Act* to determine compliance with this bylaw.
61. No person shall obstruct a Designated Officer, who is authorized to conduct an inspection or a person who is assisting a Designated Officer.

Offences and Penalties

62. No person shall:
 - (a) fail to comply with an order made pursuant to this Bylaw; or
 - (b) obstruct or interfere with any Designated Officer or any other person acting under the authority of this Bylaw.

Penalty

63. Every person who contravenes any provisions in this bylaw is liable on summary conviction to the increasing penalties for each subsequent contravention made within 24 months, pursuant to Section 66 of the Bylaw.
 - a) Every person who contravenes any provisions in this bylaw is liable, by way of Notice of Violation to the increasing penalties for each subsequent contravention made within 24 months, as shown in Schedule "B"
64. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.
65. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to a fine:
 - (a) for the first offence, of \$100.00;
 - (b) for a second offence, of \$250.00; and
 - (c) for a third or subsequent offence, of not less than \$400.00 and not more than \$10,000.00 in the case of an individual, or \$25,000.00 in the case of a corporation.

Notice of Violation

66. All violations and associated notices will be given in accordance with the Town's General Penalty Bylaw.
67. (a) A Designated Officer may issue a Notice of Violation to any person committing an offence under Section 62.
(b) The notice shall require the person to pay to the Town the penalty specified in Schedule "B".
(c) The penalty may be paid:
(i) in person, during regular office hours, to the cashier located at the Town Office, Nipawin, Saskatchewan;
(ii) by deposit, at the depository located outside the main entrance to the Town Office, Nipawin, Saskatchewan; or
(iii) by mail addressed to the Town Office, Nipawin, Saskatchewan, SOE 1E0.
68. If payment of the fine as provided in Schedule "B" is made within 60 calendar days of service of the Notice of Violation, the person shall not be liable to prosecution for that offence.
(a) Payment of any Notice of Violation does not exempt the person from enforcement of an Order pursuant to this Bylaw or violations of a continuing nature.

Order to Remedy Contraventions

69. If a Designated Officer finds that a person is contravening this Bylaw, the Designated Officer may, by written order, require the owner or occupant of the property to which the contravention relates to remedy the contravention.
70. Orders given under this Bylaw shall comply with Section 364 of *The Municipalities Act*.
71. The Administrative Process to follow in issuing an Order to Remedy is outlined in the Town's General Penalties Bylaw.
72. Issuing an Order to Remedy does not exempt the person from enforcement of a Notice of Violation pursuant to Section 66 of this Bylaw.

Registration of Notice of Order

73. If an Order to Remedy is issued pursuant to Section 66, the Town may, in accordance with Section 364 of *The Municipalities Act*, give notice of the existence of the order by registering an interest against the title to the land that is the subject of the order.

Appeal of Order to Remedy

74. A person may appeal an Order to Remedy made pursuant to Section 66 in accordance with Section 365 of *The Municipalities Act*.

Municipality Remediating Contraventions

75. The Town may, in accordance with Section 366 of *The Municipalities Act*, take whatever actions or measures are necessary to remedy a contravention of this Bylaw at the expense and cost of the owner or occupant who contravened the Bylaw.

Emergency

76. In the event that it becomes an emergency to remedy a contravention of this Bylaw, the Town may take whatever actions or measures are necessary to eliminate the emergency in accordance with the provisions of Section 367 of *The Municipalities Act*.

Recovery of Unpaid Expenses and Costs

77. Any unpaid expenses and costs incurred by the Town in remedying a contravention of this Bylaw may be recovered either:
- by adding the amount to the taxes on the property on which the work is done in accordance with Section 369 of *The Municipalities Act*;
 - through submission to a Collection Agency; and/or
 - by civil action for debt in a court of competent jurisdiction in accordance with Section 368 of *The Municipalities Act*.

PART VIII Miscellaneous

Severability

78. In the event that any portion of this Bylaw is declared by a Court of competent jurisdiction to be invalid, then such portion shall be deemed to be severed from the Bylaw to that extent and the remainder of the Bylaw shall continue in force and effect.

Compliance with Other Statutes and Bylaws

79. This Bylaw is not intended to relieve any person from complying with any other statute, regulation or Bylaw relating to building construction and repair, fire safety or public health.

Withdrawal from Waste and Recycling Collection Program

80. Property owners may withdraw from the Town's Waste and Recycling Collection program by submitting the "Town of Nipawin Waste and Recycling Collection Services Notice of Withdrawal" form attached to this bylaw as Schedule "C".
81. Property owners who withdraw from the Town's Waste and Recycling Collection program must provide waste and recycling services for the property at the owner's own expense.
82. Property owners who withdraw from the Town's Waste and Recycling Collection program shall not be eligible for any property tax exemptions or reimbursements.

Repeal

83. Bylaw No. 1098/21 is hereby repealed.

Coming into Force

84. This Bylaw shall come into force and take effect upon the final passing thereof.



Leanne Harper
Mayor

Michelle Anne Pritchard
Chief Administrative Officer

Read a third time and adopted
this 8 day of August, 2022

Certified a true copy of Bylaw 1150/22
adopted by resolution of Council this

8 day of August, 2022

Michelle Anne Pritchard
Interim Chief Administrative Officer



SCHEDULE "A"
Waste & Recycling Bins and Collection Frequency

Property Type	Waste Bins (per building)	Recycling Bins (per building)	Collection Frequency
Residential (Single Detached)	1 roll out	1 roll out	Bi-weekly
Residential (Duplex)	2 roll outs	2 roll outs	Bi-weekly
Residential (Fourplex)	4 roll outs	4 roll outs	Bi-weekly
Residential (Sixplex)	4 roll outs	4 roll outs	Bi-weekly
Residential (Eightplex)	4 roll outs	4 roll outs	Bi-weekly
Multi-Residential (Larger than eightplex)	4 roll outs or 1 stationary bin	4 roll outs or 1 stationary bin	Bi-weekly
Multi-Residential (Condominium)	4 roll outs or 1 stationary bin	4 roll outs or 1 stationary bin	Bi-weekly
Commercial (Non-Downtown Core)	1 roll out	1 roll out	Bi-weekly
Commercial (Downtown Core)	1 roll out	1 roll out	Weekly
Industrial/Institutional	1 roll out	1 roll out	Bi-weekly
Vacant Properties	None	None	N/A

SCHEDULE "B"
Notice of Violation Minimum Penalties

Offence Pursuant to The Waste Collection and Disposal Bylaw Town of Nipawin Bylaw No. 1098/21		Penalty (Fine)	
		Time of Issuance (paid within 15 days)	After 15 days
Section 62(a): Failure to Comply with an Order to Remedy Contravention	1 st Offence	\$100.00	\$200.00
	2 nd Offence	\$250.00	\$500.00
	3 rd Offence	\$500.00	\$1000.00
Failure to Comply with Any Other Provision of This Bylaw	1 st Offence	\$100.00	\$200.00
	2 nd Offence	\$200.00	\$400.00
	3 rd Offence	\$400.00	\$800.00



SCHEDULE "C"
Town of Nipawin Waste and Recycling Collection Program
Notice of Withdrawal

Notice is hereby provided of withdrawal from the Town of Nipawin Waste and Recycling Collection program effective _____, 20____
(Date of Withdrawal)

Property Address: _____
(Civic Address)

Property Owner: _____
(Name)

Mailing Address: _____

Telephone: _____

I acknowledge that upon withdrawal from the Town's Waste and Recycling Collection program I must provide waste and recycling services for the property at my own expense.

I acknowledge that upon withdrawal from the Town's Waste and Recycling Collection program I shall not be eligible for any property tax exemptions or reimbursements.

Date: _____, 20____ Signature: _____

For Office Use Only:

Notice of Withdrawal received: _____, 20____

(Authorized Signature)

