

**TOWN OF FORT MACLEOD
IN THE PROVINCE OF ALBERTA
BYLAW NO. 2023**

TABLE OF CONTENTS

PART 1 - TITLE AND DEFINITIONS

Short Title	Page 3
Definitions	Page 3

PART 2 - GENERAL COLLECTION UTILITY PROVISIONS

Town Collection and Removal of Waste and Recyclable Material	Page 7
Provision of Collection Carts and Commercial Carts	Page 7
Proper Use of Collection Carts and Commercial Bins	Page 8
Construction Waste	Page 8
Household Waste Cleanup Program	Page 9
Electronic Waste and Hazardous Material Disposal Program	Page 9
Yard Waste Cleanup Program	Page 9

PART 3 - RESIDENTIAL WASTE AND RECYCLING COLLECTION

Residential Waste and Recyclable Material	Page 10
Excess Residential Waste and Recyclable Material	Page 10
Preparation of Residential Waste and Recyclable Material	Page 11
Placement of Residential Waste and Recycling Carts	Page 12

PART 4 - COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTE AND RECYCLABLE COLLECTION

Commercial, Industrial, Institutional Waste and Recyclable Material	Page 13
Preparation of Commercial, Industrial Waste and Recyclable Material	Page 13
Placement of Commercial Bins for Waste and Recycling Collection	Page 14

PART 5 - PROHIBITIONS AND EXEMPTIONS

Prohibitions	Page 15
Waste Collection Utility Exemption	Page 16

PART 6 - RATES AND FEES

Rates and Fees	Page 16
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PART 7 - TOWN AUTHORITY

Suspension and Termination of Service	Page 17
Authority and Delegation of Powers	Page 17
Inspections	Page 17

PART 8 - ENFORCEMENT

Penalties and Enforcement Procedures	Page 18
--------------------------------------	---------

PART 9 - TRANSITIONAL

General Provisions and Coming into Force

Page 19

SCHEDULE “A” CONTRAVENTION FINES

Page 21

SCHEDULE “B” RATES AND FEES

Page 22

SCHEDULE “C” ACCEPTABLE MATERIALS LIST

Page 24

SCHEDULE “D” PROHIBITED MATERIALS LIST

Page 25

SCHEDULE “E” COLLECTION SCHEDULE

Page 26

SCHEDULE “F” PRO RATE FOR EXCHANGE CARTS

Page 27

SCHEDULE “G” RESIDENTIAL WASTE COLLECTION ZONE MAP

Page 28

SCHEDULE “H” RESIDENTIAL RECYCLING COLLECTION ZONE MAPS

Page 29

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**TOWN OF FORT MACLEOD
IN THE PROVINCE OF ALBERTA
BYLAW 2023**

WASTE MANAGEMENT BYLAW

BEING A BYLAW OF THE TOWN OF FORT MACLEOD, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING THE COLLECTION, DISPOSAL AND HANDLING OF WASTE AND RECYCLABLE MATERIALS

WHEREAS, the *Municipal Government Act*, RSA 2000 c. M-26, a Municipal Council may pass Bylaws establishing and maintaining a waste management system throughout the municipality;

AND WHEREAS, the Council of the Town of Fort Macleod wishes to establish a Bylaw to maintain a waste management system and to operate this system as a public utility,

NOW THEREFORE, the Council of the Town of Fort Macleod, duly assembled, enacts as follows:

PART 1 – TITLE AND DEFINITIONS

1.0 SHORT TITLE

1.1 This Bylaw may be cited as the “Waste Management Bylaw”.

2.0 DEFINITIONS

2.1 In this Bylaw and any schedules to this Bylaw the following terms, phrases, words and their derivations shall have the following meanings when capitalized:

- (a) “Additional Residential Recycling Collection Cart” means an additional Recycling Collection Cart provided by the Town at the Customer’s request;
- (b) “Additional Residential Waste Collection Cart” means an additional Residential Waste Collection Cart provided by the Town at the Customer’s request;
- (c) “Alley” means a Highway which provides access to the rear yard of adjacent Premises;
- (d) “Automated Collection” means the collection of Waste and Recyclable Materials by a system of mechanical lifting and tipping of containers into specially designed vehicles;
- (e) “Base Rate” means the base rate as set out in Schedule “B” to this Bylaw;
- (f) “Chief Administrative Officer” means the Chief Administrative Officer of the Town of Fort Macleod or designate;
- (g) “Collector” means a person who collects Waste and/or Recyclable Material within the Town as an agent, contractor or employee of the Town;

- (h) "Collection Cart" means a Residential Waste Collection Cart or Residential Recycling Collection Carts;
- (i) "Collection Point" means a location where Waste and Recyclable Material is placed for collection by the Collection Utility;
- (j) "Collection Utility" means the system for collecting and disposing of Waste and Recyclable Material provided by the Town;
- (k) "Commercial Bin" means any container provided for the collection and storage of Commercial, Industrial, Institutional, Construction Waste, Residential Waste or Residential Recyclable Material, but does not include a Collection Cart;
- (l) "Commercial Premises" means:
- (i) any Premises that are designated as "commercial" under the Town's Land Use Bylaw including stores, cafes, restaurants, wholesale or retail business places and offices;
 - (ii) any Premises that are exempt from municipal assessment or taxation; and
 - (iii) mixed use buildings that include uses designated as "commercial" under the Town's Land Use Bylaw.
- (m) "Commercial Waste" means Waste and Recyclable Material produced by or emanating from a Commercial Premises;
- (n) "Construction Waste" means Waste and Recyclable Materials produced in the process of constructing, altering, renovating, repairing, or demolishing a building or Premises including earth, vegetation, and rock displaced;
- (o) "Council" means the Municipal Council of the Town of Fort Macleod;
- (p) "Customer" means the Owner of a Premises eligible for the Collection Utility or, if the Town has entered into an agreement that the Occupant or another Person will be the customer in respect of that Premises, that Occupant or other Person;
- (q) "Disposal Site" means a sanitary landfill, recycling facility, compost facility or other site licensed to process and dispose of Waste and Recyclable Material;
- (r) "Electronic Waste" means electronics that have reached their useful life, are broken or obsolete, including but not limited to televisions, computers, hard drives, copiers printers, etc.
- (s) "Highway" means a highway as defined in the *Traffic Safety Act*, RSA 2000, c T-6;

(t) “Hazardous Waste” shall have the meaning set out from time to time in the Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12, as amended, and the regulations thereunder.

(u) “Industrial Premises” means any Premises that carry on industrial activities including the manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or shipment of materials, goods, products or equipment;

(v) “Industrial Waste” means all Waste and Recyclable Material produced by or emanating from an Industrial Premises;

(w) “Institutional Premises” means any Premises that carry on institutional activities including nursing homes, day-care centers, religious or charitable organizations, hospitals and educational institutions;

(x) “Institutional Waste” means all Waste and Recyclable Material produced by or emanating from an Institutional Premises;

(y) “Manager” means a Person who acts as an agent for the Owner and/or Occupants in managing a Premises and includes a condominium corporation or housing cooperative;

(z) “Municipal Tag” means a notice of contravention of this Bylaw issued in accordance with Section 22;

(aa) “Occupant” means a Person using, occupying or in possession of a Premises;

(bb) “Owner” means an owner as defined in the *Municipal Government Act*, RSA 2000, c M-26;

(cc) “Peace Officer” means an individual engaged by the Town as a Community Peace Officer or a Bylaw Enforcement Officer, a peace officer as defined in the *Peace Officer Act*, RSA 2006 c P-3.5 or a member of the Royal Canadian Mounted Police;

(dd) “Person” means any individual, partnership, corporation, company, society or government entity;

(ee) “Plastic Garbage Bag” means a sturdy plastic bag specifically marketed to store waste for collection, and excludes plastic bags that are intended for other purposes;

(ff) “Premises” means land, buildings, or both, or a portion of either occupied or used for any purpose within the Town;

(gg) “Private Service Provider” means an appropriately licensed Person that collects and Disposes of Recyclable Material, Waste or both;

- (hh) "Prohibited Materials" means the materials listed in Schedule "D" to this Bylaw;
- (ii) "*Provincial Offences Procedures Act*" means the *Provincial Offences Procedures Act*, RSA 2000 c. P-34;
- (jj) "Recyclable Materials" means those materials determined by the Town from time to time to be acceptable through the Town's recycling programs and generally accepted to be recyclable in the Province of Alberta;
- (kk) "Residential Premises" means a house, duplex, fourplex, or other building occupied for residential purposes, which can include multi-residential Premises;
- (ll) "Residential Recyclable Materials" means material of a domestic nature generated through ordinary day-to-day activities of the Occupants of a Residential Premises and listed in Schedule "C" to this Bylaw;
- (mm) "Residential Recycling Collection Cart" means a cart owned by the Town and assigned by the Town to a Premises for the purpose of collecting and containing Residential Recyclable Materials and bringing such materials to a Collection Point;
- (nn) "Residential Waste" means Waste of a domestic nature generated through ordinary day-to-day activities of the Occupants of a Residential Premises and does not include Construction Waste or materials generated as a result of landscaping, installation or removal of lawns or sprinkler systems, installation or removal of concrete or asphalt, or automotive or recreational vehicle work of any kind;
- (oo) "Residential Waste Collection Cart" means a cart owned by the Town and assigned by the Town to a Premises for the purpose of collecting and containing Residential Waste and bringing such Waste to a Collection Point;
- (pp) "Semi-Automated Collection" means the collection of Waste and Recyclable Materials by a system of mechanical lifting and tipping of bins into specially designed vehicles with assistance from the Collector;
- (qq) "Service Set Up Fee" means the fees set out in Schedule "B" for establishing an account to provide the Collection Utility to a Residential Premises;
- (rr) "Street" means a Highway which provides access to the front of adjacent Premises;
- (ss) "Town" means the municipality of the Town of Fort Macleod in the Province of Alberta, or, where the context so requires, its municipal boundaries;
- (tt) "Violation Ticket" means a violation ticket as defined in the *Provincial Offences Procedures Act*; and
- (uu) "Waste" means garbage, refuse or unwanted material.

PART 2 – GENERAL COLLECTION UTILITY PROVISIONS

3.0 TOWN COLLECTION AND REMOVAL OF WASTE AND RECYCLABLE MATERIAL

3.1 The Town shall collect Waste Material from Residential, and Waste and Recyclable Material from Commercial, Industrial and Institutional Premises in accordance with this Bylaw.

a) In the case of Extended Producer Responsibility (EPR) residential recycling collection the Town will follow the appointed contractors' rules and standards

3.2 The Town shall be under no obligation to collect, accept or dispose of any Waste and Recyclable Material or other materials or substances which do not comply with this Bylaw or are not set out for collection or otherwise provided to the Town in accordance with this Bylaw.

4.0 PROVISION OF COLLECTION CARTS AND COMMERCIAL BINS

4.1 The Town shall provide one (1) Residential Waste Collection Cart to each Residential Premises. New Residential Premises will be provided a Waste Collection Cart at no charge.

4.2 If the Collection Cart is lost, stolen or damaged the Customer is responsible to purchase a replacement cart from the Town, as per the fee set out in Schedule "B".

a) If the cart is owned by the EPR distribution company the resident must follow the distributors conditions and fee schedule

4.3 Where a Customer requests an exchange of a Collection Cart due to a change in property size requirements, medical needs, or accessibility requirements, the Town may allow a prorated replacement cost, provided the returned cart is clean, empty, in good condition, and fully functional. Prorated replacement fees shall be applied as set out in Schedule "G"

4.4 The Customer shall pay the fee set out in Schedule "B" to this Bylaw for all Additional Collection Carts provided by the Town.

4.5 All Collection Carts shall remain the property of the Town and EPR collections company and shall remain on the assigned Premise.

4.6 All Commercial Bins shall be provided by and remain the property of the Collector.

4.7 If the Commercial Bin is stolen or damaged the Customer is responsible to pay for repair or replacement as deemed necessary by the Town.

5.0 PROPER USE OF COLLECTION CARTS AND COMMERCIAL BINS

5.1 The Owner or Occupant of a Premises shall ensure that all Collection Carts or Commercial Bins assigned to that Premises:

- (a) are not filled higher than the upper rim of the Collection Cart or Commercial Bin in such a manner which prevents full closure of the lid;
- (b) do not have their contents compressed in such a manner that it Waste or Recyclable Material does not fall freely from the Collection Cart or Commercial Bin during the regular tipping process during collection;
- (c) do not contain any material which might adhere to the inside of the Collection Cart or Commercial Bin which is not properly wrapped in accordance with this Bylaw;
- (d) are maintained in good repair and in a reasonably clean and sanitary condition;
- (e) are stored on the Premises from which the Collection Cart or Commercial Bin is assigned and do not encroach upon or project over any Highway or public place except when placed on such Highway for the purpose of collection under this Bylaw; and
- (f) are stored with the lid closed.

6.0 CONSTRUCTION WASTE

6.1 The Owner or Occupant of a Premises producing Construction Waste shall:

- (a) provide and maintain on the Premises in good condition, a sufficient number of containers or Commercial Bins to store the Construction Waste, provided by either the Owner or a private contractor;
- (b) ensure that all Construction Waste is stored in a container or Commercial Bin;
- (c) periodically dispose of all Construction Waste at an appropriate Disposal Site and ensure that such Construction Waste does not unduly accumulate at the Premises;
- (d) prevent any Construction Waste from spilling over or accumulating on any Highway or other public property and promptly recapture any such Waste which is blown off or otherwise emanates from the Premises.

7.0 HOUSEHOLD WASTE CLEANUP PROGRAM

7.1 The Town's Collector shall provide bins at a centralized location two (2) times annually for Town residents to dispose of any excess household material.

7.2 Hazardous Waste and yard waste are not permitted to be disposed of during this program.

7.3 The Town has full discretion for the program schedule and will advertise the program in advance as deemed necessary.

8.0 ELECTRONIC WASTE AND HAZARDOUS MATERIAL DISPOSAL PROGRAM

8.1 The Town's Collector shall provide bins at a centralized location one (1) time annually for Town residents to dispose of any Electronic Waste and Hazardous Materials.

8.2 The Town has full discretion for the program schedule and will advertise the program in advance as deemed necessary.

9.0 YARD WASTE CLEANUP PROGRAM

9.1 Two (2) times per year, typically in the spring and fall, or as deemed necessary by the Town, Town staff will collect any loose yard waste that is placed within the alleys or in front of properties that do not have alleys. All material must be compostable and not placed in any plastic bags or containers.

9.2 All material must be compostable and not placed in any plastic bags or containers. This includes:

- a) Leaves, grass, hedge and tree trimmings
- b) Branches up to 4" in diameter
- c) Waste sod or topsoil
- d) Expired Christmas trees with all ornaments and tinsels removed

9.3 Unacceptable materials include:

- a) Branches larger than 4" diameter
- b) Full trees or tree trunks
- c) Rocks or heavy rock soils
- d) Wood furniture or treated wood products
- e) Hazardous Waste

9.4 The Town has full discretion for the program schedule and will advertise the program in advance as deemed necessary.

9.5 All yard waste generated outside of this program must be taken by the resident to the Town's compost area.

9.6 Residents and commercial operations use of the compost site outside of the cleanup program must abide by the same allowable material conditions as well as follow all signage at the compost site. Any dumping outside these criteria will be fined for Illegal Dumping.

a) Video surveillance may be used for identification in accordance to Administrative Video Surveillance Policy.

9.7 Clean materials are key to ensure that as compost material is turned and processed that the resulting soils and chips are safe and available for resident collection and use

PART 3 – RESIDENTIAL WASTE COLLECTION

10.0 RESIDENTIAL WASTE MATERIAL

10.1 All Residential Premises within the Town shall be provided with collection of Residential Waste Material from the Town's Collection Utility, unless exempt by the Chief Administrative Office as per Section 17.1.

10.2 The Town shall collect up to one (1) Unit of Residential Waste Material from each Residential Premises per week, or amended as required, as outlined in Schedule "E".

10.3 The Town Residential Collection shall be broken down into two zones, zone 1 (north) and zone 2 (south) respectively, as outlined in Schedule "F".

11.0 EXCESS RESIDENTIAL WASTE MATERIAL

11.1 The Owner of a Residential Premises may purchase Additional Waste Carts from the Town, per the rates outlined in Schedule "B".

11.2 Additional Carts will be charged an additional collection fee, per the rates outlined in Schedule "B".

12.0 PREPARATION OF RESIDENTIAL WASTE FOR COLLECTION

12.1 The Owner or Occupier of a Premises shall ensure that all Residential Waste placed at the Collection Point for that Premises is:

- (a) placed in a Plastic Garbage Bag which is then placed in the Collection Cart;
- (b) thoroughly drained and securely wrapped in sufficient paper to absorb any moisture;
- (c) is double bagged if such Residential Waste includes light, dusty or objectionable materials including cooled ashes, powders, sawdust, vacuum cleaner bags, furnace filters, animal feces and absorbent pads, and disposable diapers;

(d) Waste collection service is limited to materials listed in Schedule "C" (Acceptable residential waste material), not including those listed in Schedule "D" (Prohibited material) of this Bylaw.

(d) the Town and its contractor are not required to collect the contents of a Residential Waste Collection Cart should it contain any materials listed in Schedule "D". The Cart will be tagged to notify the Owner or Occupier of the Premises of unacceptable use.

12.2 The Owner or Occupier of a Premises shall ensure that all Residential Recyclable Material placed at the Collection Point for that Premises is:

(a) reasonably clean;

(b) placed loosely into the Collection Cart without bagging or bundling, with the exception of plastic bags and shredded paper which shall be placed in a Plastic Garbage Bag prior to placement in the Collection Cart.

(c) Recyclable collection service is limited to all recyclable and non-hazardous materials listed in Schedule "C" (Acceptable residential recyclable material) to this Bylaw.

(d) the Town and its Collector are not required to collect the contents of a Residential Recycling Collection Cart should it contain any materials not listed in Schedule "C" to this Bylaw. The Cart will be tagged to notify the Owner or Occupier of the Premises of unacceptable use.

12.3 The Owner or Occupier of a Premises shall ensure that all spillage originating from the Collection Carts assigned to that Premises and all spillage of Waste and Recyclable Material or other substances at the Collection Point for that Premises is promptly cleaned up.

12.4 The Owner and Occupier of the Premises shall ensure that Collection Carts are placed according to the specification outlined by the Town in order to ensure proper collection by the Town's Collector.

13.0 PLACEMENT OF RESIDENTIAL WASTE AND RECYCLING CARTS FOR COLLECTION

13.1 The Owner or Occupant of a Premises shall ensure that all Collection Carts assigned to that Premises are set out for collection in such a manner that Automated Collection may occur, including:

(a) if the Premises are adjacent to an Alley, Collection Cart(s) shall be placed adjacent to and facing into the Alley;

(b) if the Premises are not adjacent to an Alley, Collection Cart(s) shall be placed adjacent to and facing into the Street; and

(c) Collection Cart(s) shall be placed such that they have clearances of at least:

(i) 1 metre to the rear;

(ii) 1 metre on either side; and from any obstacles including cars and utility boxes.

13.2 The Owner or Occupant of a Premises shall ensure that the Collection Cart(s) assigned to that Premises are not placed on the sidewalk or in any location where they will interfere with vehicular or pedestrian traffic except with the written authorization of the Chief Administrative Officer or when the Collection Cart(s) are being actively emptied.

13.3 The Owner or Occupant of a Premises shall ensure that Collection Cart(s) assigned to that Premises are set out for collection at the Collection Point:

(a) no later than 7:00 am on the day of collection; and

(b) no earlier than 7:00 pm on the day before collection.

13.4 The Owner or Occupant of a Premises shall ensure that Collection Cart(s) assigned to that Premises are removed from the Collection Point and returned to their storage area no later than 7:00 pm on the day of collection.

13.5 The Owner or Occupant of a Premises shall ensure that the Collection Cart(s) assigned to that Premises are placed out for collection in a way that they cannot easily be tipped over.

13.6 The Town may assign a Collection Point for any Premises, in which case the Owner or Occupant of that Premises shall ensure that Collection Cart(s) for that Premises are only placed at that Collection Point.

PART 4 – COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTE AND RECYCLING COLLECTION

14.0 COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTE AND RECYCLABLE MATERIAL

14.1 Any Commercial, Industrial and Institutional Premises will be automatically enrolled in the Town's Collection Utility for Waste and Recyclable Material Collection, unless previously exempted. It is the responsibility of the Owner of the Premises to contact the Town to coordinate bin sizing and delivery.

14.2 Collection frequency shall be variable dependent on the individual Premises and will be charged according to the rates set out in Schedule "B".

14.3 The Town shall provide one (1) Commercial Bin for the collection of Waste Material.

14.4 The Town shall provide one (1) Commercial Bin for the collection of Recyclable Material.

15.0 PREPARATION OF COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTE AND RECYCLABLE MATERIAL FOR COLLECTION

15.1 The Owner or Occupier of a Premises shall ensure that all Commercial, Industrial and Institutional Waste placed at the Collection Point for that Premises is:

- (a) placed in a Plastic Garbage Bag which is then placed in the Commercial Bin;
- (b) thoroughly drained and securely wrapped in sufficient paper to absorb any moisture;
- (d) is double bagged if such Waste includes light, dusty or objectionable materials including cooled ashes, powders, sawdust, vacuum cleaner bags, furnace filters, animal feces and absorbent pads, and disposable diapers;
- (e) Waste collection service is limited to materials listed in Schedule "C" (Acceptable residential waste material), not including those listed in Schedule "D" (Prohibited material) of this Bylaw.
- (f) the Town and its contractor are not required to collect the contents of a Commercial Bin should it contain any materials listed in Schedule "D". The Bin will be tagged to notify the Owner or Occupier of the Premises of unacceptable use.

15.2 The Owner or Occupier of a Premises shall ensure that all Recyclable Material placed at the Collection Point for that Premises is:

- (a) reasonably clean;
- (b) placed loosely into the Commercial Bin without bagging or bundling, with the exception of plastic bags and shredded paper which shall be placed in a Plastic Garbage Bag prior to placement in the Bin.
- (c) Recyclable collection service is limited to all recyclable and non-hazardous materials listed in Schedule "C" (Acceptable residential recyclable material) to this Bylaw.
- (d) the Town and its contractor are not required to collect the contents of a Commercial Bin should it contain any materials not listed in Schedule "C" to this Bylaw. The Bin will be tagged to notify the Owner or Occupier of the Premises of unacceptable use.

15.3 The Owner or Occupier of a Premises shall ensure that all spillage originating from the Commercial Bins assigned to that Premises and all spillage of Waste and Recyclable

Material or other substances at the Collection Point for that Premises is promptly cleaned up.

15.4 The Owner or Occupier of a Premises shall ensure that the Collection Point is free from any obstructions, including performing snow removal and sanding during the winter season, so that the Town's Collector can perform proper collection of the Commercial Bins.

16.0 PLACEMENT OF COMMERCIAL BINS FOR WASTE AND RECYCLING COLLECTION

16.1 The Owner or Occupant of a Premises shall ensure that all Commercial Bins assigned to that Premises are located for collection in such a manner that Semi-Automated Collection may occur.

16.2 The Owner or Occupant of a Premises shall ensure that the Commercial Bins assigned to that Premises are not placed on the sidewalk or in any location where they will interfere with vehicular or pedestrian traffic except with the written authorization of the Chief Administrative Officer or when the Commercial Bins are being actively emptied.

16.3 The Owner or Occupant of a Premises shall ensure that the Commercial Bins stored inside an enclosure are accessible by the Town's Collector on Collection days.

16.4 The Town may assign a Collection Point for any Premises, in which case the Owner or Occupant of that Premises shall ensure that Commercial Bins for that Premises are only placed at that Collection Point.

PART 5 – PROHIBITIONS AND EXEMPTIONS

17.0 PROHIBITIONS

17.1 No Person shall place:

- (a) Prohibited Materials as listed in Schedule "D" to this Bylaw;
- (b) hazardous waste as defined in the *Environmental Protection and Enhancement Act*, RSA 2000 c E-12;
- (c) dangerous goods as defined in the *Dangerous Goods Transportation and Handling Act*, RSA 2000 c D-4;
- (d) biomedical waste as defined in the *Waste Control Regulation*, AR 192/1996; or
- (e) Industrial, Commercial, Institutional or Construction Waste except as authorized pursuant to an agreement with the Town.

17.2 No Person shall set out for collection as Waste any materials or substances which are not listed in Schedule "C" to this Bylaw.

17.3 No Person shall set out for collection as Recyclable Material any materials or substances which are not listed in Schedule "C" to this Bylaw.

17.4 No Person shall set out any materials or substances for collection by the Town unless such materials or substances are contained within a Collection Cart or Commercial Bin in accordance with this Bylaw.

17.5 No Person shall place any Waste and Recyclable Material or other materials or substances in any Collection Cart and Commercial Bin or at any Collection Point assigned to a Premises unless that Person is the Owner or Occupant of such Premises or has the authorization of the Owner or Occupant of such Premises to do so.

17.6 No Person shall tamper or interfere with any Waste or Recyclable Material set out for collection by the Town from a Premises or any Collection Cart or Commercial Bin.

17.7 No Person shall hinder or interrupt or cause another Person to hinder or interrupt the Town or its contractors, servants, agents, or employees in the exercise of powers and duties under this Bylaw.

17.8 No Person shall dispose of Waste or Recyclable Material except through the Collection Utility in accordance with this Bylaw.

17.9 No Person shall store, deposit or dispose of any Waste or Recyclable Material on any Highway or any other lands owned by the Town except as authorized pursuant to this Bylaw.

17.10 No Person shall scavenge Waste or Recyclable Material from a Collection Cart or Commercial Bin.

17.11 The Owner or Occupant of a Premises shall ensure that all materials placed at the Collection Point for that Premises comply with the requirements of this Bylaw.

18.0 WASTE COLLECTION UTILITY EXEMPTION

18.1 At the discretion of the Chief Administrative Officer, a Premises can be exempt from participating in the Town's Collection Utility due to extenuating circumstances.

18.2 Exemptions for a single stream of the Collection Utility will not be permitted. Exemptions will only be granted for the full program.

18.3 The Owner or Manager of a Commercial Premises, Industrial Premises or Institutional Premises deemed by the Chief Administrative Officer to be exempt from the Collection Utility shall be responsible for the following:

- (a) provide proof to the Town of a contract with a Private Service Provider;
- (b) Waste and Recyclables are collected by a Private Service Provider and disposed of at a Disposal Site;

(c) collected on a sufficiently frequent basis so as to prevent the development of noxious odors.

PART 6 – RATES AND FEES

19.0 RATES AND FEES

19.1 The Town shall issue a utility bill for each Premises serviced by the Collection Utility, on a monthly basis or such other periods as determined by the Town.

19.2 The utility bill shall include:

- (a) Base Rate;
- (b) any other service fees payable in respect of the Premises, as set out in Schedule “B” to this Bylaw.

19.3 The Customer shall pay the utility bill on or before the date specified on such bill.

19.4 Failure to receive a utility bill, or an error on a utility bill, shall not constitute a valid defense for failure to pay the rates and charges for the provision of the Collection Utility to the Premises.

19.5 The Town may issue a combined utility bill including other public utility services provided by the Town in respect of a Premises in addition to the Collection Utility, in which case the utility bill shall state as a separate amount the amount payable pursuant to this Bylaw.

PART 7 – TOWN AUTHORITY

20.0 SUSPENSION AND TERMINATION OF SERVICE

20.1 The Town may suspend or discontinue the Collection Utility service to a Premises if, in the opinion of the Town, it is necessary or desirable to do so, upon giving reasonable notice to the Customer in respect of that Premises.

21.0 AUTHORITY AND DELEGATION OF POWERS

21.1 The Town has the power and authority to do all things necessary for the general maintenance, management and operation of the Waste Management System.

21.2 The Chief Administrative Officer is authorized to:

- (a) establish regulations for the general maintenance, management or conduct of the Collection Utility and of the officers, contractors and employees employed in connection with the Collection Utility;

- (b) establish the times and places where rates or fees pursuant to this Bylaw are payable;
- (c) collect the rates or fees payable pursuant to this Bylaw and enforce payment of those rates or fees using any means lawfully available; and
- (d) enforce the terms and conditions under which the Collection Utility is supplied, including the terms and conditions set out in this Bylaw and any agreement authorized by this Bylaw.

22.0 INSPECTIONS

22.1 The Town may, after giving reasonable notice to the Owner or Occupant of a Premises, enter on any Premises to inspect such Premises for compliance with this Bylaw and to remedy any contravention of this Bylaw.

22.2 Town employee, officials or contractors may perform periodic inspections of the waste or recycling streams for compliance with this Bylaw.

PART 8 – ENFORCEMENT

23.0 PENALTIES AND ENFORCEMENT PROCEDURES

23.1 A Person who:

- (a) does something that is prohibited in this Bylaw;
- (b) fails to do something that is required in this Bylaw; or
- (c) does something in a manner different from that which is required or permitted in this Bylaw; is guilty of an offence.

23.2 Where a contravention of this Bylaw 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 offence is liable to a fine in an amount not less than that established by this Bylaw for each such day or part of a day.

23.3 A Person who is convicted of an offence pursuant to this Bylaw is liable upon summary conviction to a fine not exceeding TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00).

23.4 Where a Peace Officer believes that a Person has contravened any provision of this Bylaw, that Peace Officer may serve that Person with a Violation Ticket pursuant to the provisions of Part 2 of the *Provincial Offences Procedure Act*.

23.5 Where a Peace Officer believes that a Person has contravened any provision of this Bylaw, that Peace Officer may serve that Person with a Municipal Tag, in a form approved by the Chief Administrative Officer, by personal service, regular mail or by placing such Municipal Tag in a conspicuous location on the relevant property.

23.6 Service of such Municipal Tag shall be sufficient if it is:

- (a) personally served;
- (b) served by regular mail upon the Owner of the relevant Premises at the address shown on the Town's tax rolls; or
- (c) placed on or attached in a conspicuous location on the relevant Premises.

23.7 A Municipal Tag shall specify the penalty set out in Schedule "A" of this Bylaw for penalties in lieu of prosecution.

23.8 A Person who pays the amount specified on a Municipal Tag in respect of a contravention of a provision of this Bylaw within the time allowed for payment as specified on the Municipal Tag shall not be liable for prosecution for that contravention.

23.9 If a Person has been convicted of a contravention of the same provision of this Bylaw within the past TWELVE (12) month period, the specified penalty or penalty in lieu of prosecution in respect of a second or subsequent contravention of this Bylaw shall be double the amount set out in Schedule "A" of this Bylaw.

23.10 The levying and payment of any penalty, or the imprisonment for any period as provided for in this Bylaw, shall not relieve a Person from paying any fees, charges or costs for which the person is liable under this Bylaw.

23.11 Nothing in this Bylaw shall prevent a Peace Officer from issuing a summons for the mandatory court appearance of any Person who the Peace Officer has reason to believe is committing, or has committed, a breach of any provision of this Bylaw, or from laying an information.

23.12 Whenever this Bylaw imposes an obligation or prohibition on an Owner, Occupant or Manager of a Premises, the obligation or prohibition shall apply to both or all of the Owner, Occupant or Manager and each of them separately.

23.13 Whenever this Bylaw imposes an obligation or prohibition on more than one Person, each Person shall be liable to prosecution for a breach of this Bylaw, and it shall be no defence for any such Person that any other Person is responsible for such breach.

23.14 Any Person who disposes of Waste or Recyclable Materials in any manner contrary to this Bylaw shall immediately take all reasonable measures to clean up such Waste or Recyclable Materials or mitigate the effects of such disposal. This shall be in addition to any other penalties or fines established pursuant to this Bylaw.

PART 9 – TRANSITIONAL

24.0 GENERAL PROVISIONS AND COMING INTO FORCE

24.1 If any term, clause or condition of this Bylaw or the application thereof is found to be invalid or unenforceable, the remainder of this Bylaw or application of such term, clause or condition shall not be affected and shall remain in force and effect.

24.2 The Schedules to this Bylaw may be amended or replaced from time to time by resolution of Council.

24.3 Nothing in this Bylaw relieves any Person from compliance with any other bylaw or any applicable federal or provincial law, regulation or enactment.

24.4 In the event of a conflict between this Bylaw and any other bylaw or any applicable federal or provincial law, regulation or enactment respecting public health and safety, the other bylaw, law, regulation or enactment shall prevail to the extent of the conflict.

24.5 This Bylaw repeals Bylaws 1952, 1974, 1983, & 2018 in their entirety and any amendments thereto.

24.6 This Bylaw comes into force on the date of third reading.

READ a First time this ____ day of _____.

READ a Second time this ____ day of _____.

READ a Third time and PASSED this ____ day of _____.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

**BYLAW 2023
SCHEDULE "A"
CONTRAVENTION FINES**

SECTION	DESCRIPTION OF OFFENCE	MINIMUM PENALTY	MAXIMUM PENALTY
General Penalty	All Bylaw sections not specified in this Schedule	\$50.00	\$100.00
Section 5.0	Improper use of the collection containers	\$100.00	\$200.00
Section 6.1 (c)	Accumulation of Construction Waste or Recyclable Material	\$300.00	\$600.00
Sections 11.1 (d), 14.1 (e)	Setting out improper materials for waste collection	\$100.00	\$200.00
Sections 11.2 (c), 14.2 (c)	Setting out improper materials for recycling collection	\$100.00	\$200.00
Sections 11.4, 14.4	Improperly located collection containers	\$100.00	\$200.00
Section 14.4	Collection interference	\$100.00	\$200.00
Section 16.1 (a)	Setting out Prohibited Materials	\$100.00	\$200.00

**Bylaw 2023 Schedule "B"
2027 Rates and Fees (Effective January 1st, 2027)**

Table 10: General Fees

Additional Residential Collection Cart	\$120.00
Replacement of Damaged or Lost Collection Cart	\$120.00

Table 11: Residential Collection Rates

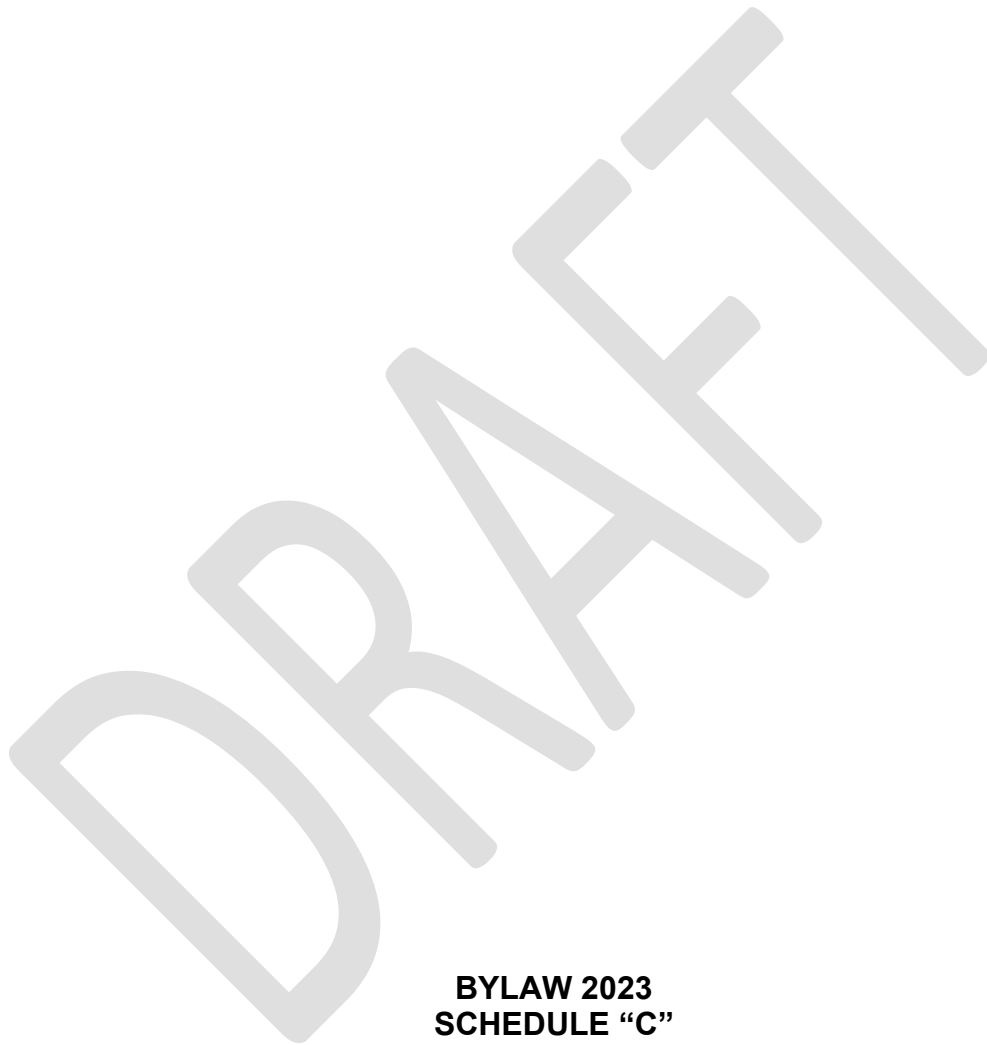
Residential	\$21.25
Country Residential	\$24.21
Additional Cart Collection (each)	\$9.00

Table12: Commercial/Industrial/Institutional Collection Rates(2% increase to yard bins)

	Weekly	Every Two Weeks	Monthly
No Service Base Fee			\$15.60
64 Gallon Cart			\$36.41
95 Gallon Cart			\$36.41
Shared Bin (3 yard – 2 businesses)	\$99.49	\$49.75	\$24.87
Shared Bin (3 yard – 3 businesses)	\$66.33	\$33.16	\$16.59
Shared Bin (3 yard – 4 or more businesses)	\$49.75	\$24.87	\$12.44
Shared Bin (4 yard – 2 businesses)	\$126.02	\$63.01	\$31.51
Shared Bin (4 yard – 3 businesses)	\$84.02	\$42.00	\$21.00
Shared Bin (4 yard – 4 or more businesses)	\$63.01	\$31.51	\$15.75
Shared Bin (6 yard – 2 businesses)	\$182.40	\$91.20	\$45.60
Shared Bin (6 yard – 3 businesses)	\$121.59	\$60.80	\$30.40
Shared Bin (6 yard – 4 or more businesses)	\$91.20	\$45.60	\$22.79
Shared Bin (8 yard – 2 businesses)	\$238.77	\$119.39	\$59.69
Shared Bin (8 yard – 3 businesses)	\$159.18	\$79.59	\$39.80
Shared Bin (8 yard – 4 or more businesses)	\$119.39	\$59.69	\$29.85
3 Yard Waste	\$79.59	\$39.80	\$19.90
3 Yard Recycling	\$79.59	\$39.80	\$19.90
4 Yard Waste	\$100.81	\$50.41	\$25.20
4 Yard Recycling	\$100.81	\$50.41	\$25.20
6 Yard Waste	\$145.92	\$72.96	\$36.48
6 Yard Recycling	\$145.92	\$72.96	\$36.48
8 Yard Waste	\$191.02	\$95.51	\$47.75
8 Yard Recycling	\$191.02	\$95.51	\$47.75

Notes:

- Collection Rates are per month, inclusive of both waste and recycling collection, unless otherwise specified
- Commercial locations requiring multiple pickups per week will be billed accordingly based on weekly collection rates
- Commercial businesses utilizing carts will be limited to a maximum of two (2) carts per property
- Commercial carts are collected as per the residential collection schedule
- Shared bin rates are per business



**BYLAW 2023
SCHEDULE "C"
ACCEPTABLE MATERIALS LIST**

**Recyclable Material (including but not limited to) as per curbside recycling guide
2026/2027**

Allowed Items

Plastic bottles and Containers. Toothpaste and deodorant tubes. Plastic bags and film packaging. Plastic food containers. Snack wrappers and chip bags. Stan-up plastic

pouches. Paper and Cardboard. Hot and cold beverage cups and lids. Spiral cans. Soup and broth cartons. Paper laminates. Metal food cans. Glass food and cosmetic containers. Foam packaging. Aluminium trays and foil. Deodorant, air freshener, hairspray, and cooking oil aerosols containers.

Not Allowed Items

Diapers. Toys. Books. Pots and pans. Batteries. Paper towel. Organics. Ceramics. Clothing. Garden hose. Propane tanks. Hazardous aerosols (e.g. cleaners, paint). Electronics. Items contained in a black bag.

Waste Material (including but not limited to)

• bows and ribbons • ceramics and dishes • cigarettes and ashes (cooled) • cleaning wipes • cosmetic containers • disposable diapers and wipes • feminine hygiene items • non-recyclable packaging materials • paint cans, emptied or dried • pet food bags • pet waste in plastic bags • photos • plastic lids, straws and utensils • porcelain glass and pottery • PVC pipe • Q-tips • rags • sharps (razor blades, broken glass) • tetra paks • toys, broken • wine cork, plastic

BYLAW 2023 SCHEDULE "D" PROHIBITED MATERIALS LIST

The following materials are designated as Prohibited Materials in Waste and Recycling Streams:

1. Ashes which are smouldering, smoking or not properly quenched;
2. Automobile waste including parts, tires and batteries;
3. Compressed cylinders;
4. Dead animals;
5. Engine oil and filters;
6. Furniture;
7. Gas or propane liquids or any other liquid based petroleum products;

8. Hypodermic needles unless contained in a puncture resistant receptacle;
9. Household Hazardous Waste in general*;
10. Luminescent gas filled tubes or fluorescent tubes;
11. Material which could cause environmental contamination;
12. Rocks;
13. Sod.

*material accepted during Town Hazardous Waste Collection program.

**BYLAW 2023
SCHEDULE "E"
COLLECTION SCHEDULE**

Waste Residential

Zone 1 (north) - Thursday

Zone 2 (south) - Friday

Commercial/Industrial/Institutional

Entire Town – schedule determined by the service provider

Recycling Residential

Monday Zone

Starting October 12, 2026, then every other Monday

Tuesday Zone

Starting October 13, 2026, then every other Tuesday

Note: Commercial/Industrial/Institutional Premises with Carts shall be collected as per the residential schedule.

**BYLAW 2023
SCHEDULE "F"
PRO RATING WASTE AND RECYCLE CARTS**

1. Qualifying Scenarios for Cart Size Exchange:

Residents may request to change the size of their waste cart due to the following qualifying circumstances:

- **Recent Move-In to Property:** The resident recently purchased or rented a property where the existing cart(s) are smaller than what they had at their previous residence, and the current size is no longer practical for their household size or usage.
- **Medical or Accessibility Needs:** A cart of a different size is required to meet a documented medical, mobility, or accessibility need.
- **Downsizing Request (Voluntary):** A resident requests a smaller cart to better suit a smaller household or reduced waste output.

2. Condition Requirements for Returned Carts:

To be eligible for a no-cost or pro-rated exchange, the returned cart must meet the following conditions:

- **Clean and Empty:** The cart must be fully emptied, with no waste or residue inside.

- **Good Condition:** The cart must be free of significant cracks, holes, damage to the wheels, lid, or lifting mechanism.
- **Functional:** The cart must still be usable for service or salvageable for parts.

Carts that are heavily damaged, vandalized, or unusable will not be eligible for exchange under this amendment and will be subject to the full replacement cost.

3. Pro-Rating Guidelines for Cart Exchange:

If a resident qualifies under one of the scenarios above and the returned cart is in acceptable condition, the following replacement cost would apply to the resident:

- **Cart is under 2 years old:** \$50
- **Cart is 2–5 years old:** \$80
- **Cart is 5+ years old:** Full replacement cost (\$120)

Note: All fees are subject to change.

**BYLAW 2023
SCHEDULE "G"
RESIDENTIAL WASTE COLLECTION ZONE MAP**



Bulk Recycling Drop Off Depot: 865 30th Street

What day is my collection if I live on 18th Street?

All residents living on 18th Street fall under Zone 2 (south), so collection will be on Friday's.

BYLAW 2023 SCHEDULE "H" RESIDENTIAL RECYCLING COLLECTION ZONE MAP



Residential Recycling Collection

MONDAY ORANGE ZONES

South of 23 St & West of 6 Ave
Lyndon Road
East of 6th Ave & NE of Highways 2 & 3
South of 12 St

TUESDAY BLUE ZONES

North of 24 St & West of 6 Ave
South of 23 St &
East of 6 Ave to Highways 2 & 3



RECYCLING COLLECTION QUESTIONS?

- cmcustomerservice@collectivewaste.ca
- 587-855-3928
- circularmaterials.ca/fort-macleod

