

# VILLAGE OF MAYO

## BYLAW 300

A bylaw to provide for the disposal of solid waste from the Village of Mayo.

WHEREAS subsection 265(b) of the *Municipal Act* (2002) provides that Council may pass bylaws for municipal purposes respecting municipal utilities, facilities, works, and improvements on private and public land including quarries, sand and gravel pits;

AND WHEREAS subsection 266(c) of the *Municipal Act* (2002) provides that, without restricting section 265, Council may by bylaw provide for a system of licenses, inspections, permits, or approvals, including any or all of the following:

- (iii) prohibiting any development, activity, industry, business or thing until a license, permit, or approval has been granted or an inspection has been performed, and
- (iv) providing that terms and conditions may be imposed on any license, permit, or approval, the nature of the terms and conditions, and who may impose them, and
- (vi) providing for the duration of licenses, permits and approvals and their suspension or cancellation for failure to comply with a term or condition or the bylaw or for any other reason specified in the bylaw.

AND WHEREAS it is deemed expedient and in the public interest to establish, operate, maintain and control a solid waste disposal system for the Village of Mayo;

NOW THEREFORE, the Council of the municipality of the Village of Mayo, in open meeting assembled, hereby ENACTS AS FOLLOWS:

### 1. SHORT TITLE

This bylaw may be cited as the "Solid Waste Bylaw".

### 2. DEFINITIONS

In this bylaw, unless the context otherwise requires,

"APPROVED" means approved by the Designated Officer.

"BIO-MEDICAL WASTE" means bio-medical waste as defined by the Special Waste Regulations of the *Environment Act*, including but not limited to dressings, bandages or other infected material or hypodermic needles discarded in the course of practice of physicians, surgeons, dentists or veterinarians.

"BOXBOARD" means the stiffened paper product used for making boxes and

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primarily used for packaging, such as cereal and tissue boxes, core rolls from towels and toilet paper, etc.

"BULKY ITEMS" mean large items including but not limited to barrels, bed springs, furniture, mattresses, oil tanks, water tanks, and pieces of fencing. Large appliances are regulated separately as "white goods".

"COMMERCIAL CONTAINER" means any container for the purpose of storing of institutional/commercial (ICI) waste to be collected by a hauler. A commercial container may or may not require mechanised collection.

"COMMERCIAL PREMISES" means hotels, motels, businesses, administrative or professional offices, clinics or medical centres, retail stores, personal service establishments, automotive services stations, gas bars, drive in businesses, food pick-up services, eating and drinking establishments, shopping centres and child care centres or similar establishments.

"CONSTRUCTION AND DEMOLITION WASTE" means material generated as a result of construction, renovation, repair, wiring, plumbing or demolition activities, including but not limited to polystyrene or fibreglass insulation, gyproc, scrap wood, shingles, planking, siding, bricks, masonry, concrete and metal.

"CONTROLLED WASTE" means material that must be disposed of according to specific procedures as specified by the Designated Officer, including but not limited to bulky items; carcasses or parts of any animal except food waste; construction and demolition waste; contaminated soil; grubbing material; highly combustible and explosive material; liquid waste; manure, excreta, kennel material, fish processing material; radioactive material; scrap metal; special waste; sump waste; tires; and white goods.

"CONTAMINATED SOIL" means any soil that contains a contaminant which is in an amount, concentration, or level in excess of that prescribed by the contaminated sites regulation for commercial/industrial land use or allowed under a permit.

"COUNCIL" means the elected Council of the Village of Mayo.

"DESIGNATED OFFICER" means an employee of the Village of Mayo or an authorized representative as designated in writing by the Village Manager.

"DWELLING" means one or more rooms intended to be used as a residence by one household, each dwelling having independent living, sleeping, and toilet facilities and not more than one kitchen.

"ELIGIBLE PREMISES" means dwellings whose owners or occupiers pay for curbside solid waste collection, as approved by Council. Eligible premises may

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include single detached, semi-detached, modular homes, living suites, duplexes, triplexes, four-plexes or mobile homes.

"*ENVIRONMENT ACT*" means the Yukon *Environment Act* as amended from time to time.

"FOOD WASTE" means fruit and vegetable peelings, table scraps, meat, poultry, fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice, pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other similar items.

"GARBAGE BAG" means a water-resistant plastic bag that is strong enough to handle the weight of the garbage placed in it, and is securely tied or sealed at the top.

"GRUBBING MATERIAL" means material removed during excavation including, but not limited to, roots, stumps, embedded logs, broken branches and debris.

"HAULER" means any company, person or persons who transport solid waste.

"HIGHLY COMBUSTIBLE AND EXPLOSIVE MATERIAL" means celluloid cuttings, cellulose motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite or other similar material.

"HOUSEHOLD HAZARDOUS WASTE" means a consumer disposed waste product intended for household use containing hazardous substances as defined by the *Environment Act*. Household hazardous waste includes, but is not limited to, aerosols, antifreeze, brake fluid, cleaning chemicals, fluorescent light bulbs, gasoline, herbicides, pesticides, pharmaceuticals, propane, rechargeable batteries, solvents and waste oil.

"ICI WASTE" means all solid waste generated from institutional or commercial premises.

"INSTITUTIONAL PREMISES" means hospitals, senior citizen lodges, nursing homes, group care facilities, schools, universities, colleges, government administration buildings, correctional facilities, or other similar establishments.

"LANDFILL" means an approved site used for the handling and disposal of solid waste.

"LEAF AND YARD WASTE" means grass clippings, leaves, coniferous needles, brush, twigs, house and garden plants, sawdust and wood shavings and other similar items.

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"LIQUID WASTE" means waste or material that has attained a fluid consistency including septic tank pumpings and wash water, raw sewage or industrial sludge.

"OZONE DEPLETING SUBSTANCE" means any substance as defined under the Ozone Depleting Substances Regulations of the *Environment Act*."

"PERMIT TO DISPOSE OF SOLID WASTE" means a permit issued by the Designated Officer that allows a person to dispose of waste from inside or outside the Village boundaries at the landfill.

"PICK-UP TRUCK" means a truck with an empty weight not exceeding  $\frac{3}{4}$  ton and a bed with dimensions not exceeding 3.0 metres in length, 2.0 metres in width and 1.0 metre in height.

"RECYCLABLE MATERIAL" means material collected at a recycling depot for the purposes of transporting and processing those materials for subsequent use in the manufacture of new materials, including but not limited to paper, boxboard, corrugated cardboard, newsprint, magazines, catalogues, flyers, telephone books, aluminium, steel and tin cans, glass bottles and jars, high and low density polyethylene plastic bottles and containers, milk and juice cartons, tetra-pacs and other items identified by the Designated Officer from time to time.

"RECYCLING DEPOT" (The Blue Box) means an area recognised by the Designated Officer for the organized collection of recyclable material.

"RESIDENTIAL WASTE" means all household solid waste other than that which can be segregated as controlled waste, recyclable materials, including but not limited to broken bottles, crockery and glassware, floor sweepings, discarded clothing and furnishings, non-recyclable plastic and metal, non-recyclable packaging, non-repairable goods and other household waste, and may include recyclable materials and compostable organic material if not segregated.

"SCRAP METAL" includes but is not limited to sheet iron, automobile parts, purged fuel tanks and automobile bodies.

"SOLID WASTE" means all waste including controlled waste, residential waste, ICI waste and recyclable material.

"SOLID WASTE DISPOSAL FACILITY" means a site used by the public for the handling and disposal of solid waste and includes any land, transfer stations or buildings associated with the facility and any machinery, equipment, devices, tanks or other works used on the site to handle or dispose of the solid waste.

"SOILED AND NON-RECYCLABLE PAPER" means napkins, paper towels and fast food wrappers, wax paper, soiled pizza boxes, paper plates and cups, damp and soiled newspaper and flyers, sugar, flour and potato paper bags or other

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similar items or other items identified by the Designated Officer from time to time. Paper products lined with foil or plastic must not be included with soiled and non-recyclable paper.

"SPECIAL WASTE" means special waste as defined by the Special Waste Regulations of the *Environment Act*, including but not limited to asbestos, bio-medical waste and household hazardous waste.

"SUMP WASTE" means the liquid waste and solid waste removed from a sump, as defined in the Village of Mayo Sewer and Water Bylaw, as amended from time to time.

"VILLAGE" means the Village of Mayo.

"VILLAGE MANAGER" means the Chief Administrative Officer (CAO) of the Village of Mayo or an authorized representative.

"WHITE GOODS" means any large appliance including but not limited to refrigerators, freezers, dishwashers, air conditioners, stoves, washing machines and clothes dryers.

### **3. RESTRICTIONS AND PROHIBITIONS**

- a. No person shall dispose of solid waste within the Village or at the Solid Waste Disposal Facility except in accordance with this bylaw, unless the Designated Officer has issued a Permit to Dispose of Solid Waste.
- b. No person shall dispose of solid waste in any manner other than:
  - (1) in commercial containers supplied for this purpose; or
  - (2) by transporting solid waste to a solid waste disposal facility; or
  - (3) by transporting solid waste to an approved permitted alternative site; or
- c. No person shall directly dispose of or permit any person to dispose of any hot ashes or burning matter in any commercial container or solid waste disposal facility.
- d. No person other than the owners of commercial containers, or their authorized agents, an authorized hauler, or a Designated Officer, shall pick over, remove, disturb, collect or otherwise interfere with any solid waste or commercial container that has been set out for collection or removal.
- e. No person shall burn or permit to burn any solid waste, by open burning, in a wood stove or other heating appliance, except for organic material or waste oil authorized under the Special Waste Regulations of the *Environment Act*.

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- f. The fine issued for an offence contrary to the restrictions and prohibitions section of this bylaw shall increase for second and subsequent offences.

### **4. TRANSPORTATION**

- a. Any person transporting solid waste shall be responsible for all necessary permits and licenses.
- b. The operator of a vehicle transporting solid waste shall ensure that no solid waste falls off or out of the vehicle. The operator of the vehicle is responsible to pay clean-up costs associated with such an occurrence, and where the operator cannot be located, the registered owner of the vehicle is responsible.
- c. If a vehicle is operated on a highway in contravention of any provision of this bylaw and loss or damage is sustained by any person thereby, the onus of proof that the loss or damage did not arise because of the owner's contravention of this bylaw is on the registered owner or driver of the vehicle.

### **5. SOLID WASTE DISPOSAL**

- a. Any person disposing of solid waste in the landfill must have a valid permit and shall pay fees and charges as prescribed by Schedule A of the Bylaw.
- b. Any person entering the landfill must:
  - (1) Follow all directions of the Designated Officer and posted signs;
  - (2) Deposit the solid waste in the appropriate designated areas;
- c. No solid waste shall be deposited at or near the landfill during periods when the site is closed.
- d. Disposal of solid waste is prohibited at the landfill unless a Permit to Dispose of Solid Waste has been issued by the Designated Officer in accordance with the permits section of this bylaw.
- e. All controlled waste must be segregated from other solid waste and disposed of in accordance with the directions of the Designated Officer. The person bringing the controlled waste to the landfill shall be responsible for all costs of disposal, in accordance with Schedule A of the Bylaw.
- f. The following controlled waste shall be accepted at the landfill and deposited in the designated disposal area:
  - (1) Construction and demolition waste; grubbing material; bulky items; tires as per the guidelines of the designated materials regulations.
  - (2) Car and truck batteries and residual household paint.
  - (3) Manure, kennel material, excreta, and fish processing shall be placed in the same area as residential or ICI waste.

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- g. The following controlled waste may be accepted at the landfill and deposited in the designated disposal area under the specified conditions:
- (1) Animal carcasses, except cattle, may be accepted provided the owner notifies the Landfill Operator immediately.
  - (2) Fuel tanks and vehicles may be accepted provided the owner declares all fuel tanks have been purged and cleaned, and all tires, special waste and ozone depleting substances have been removed from automobiles.
  - (3) Scrap vehicles may be accepted provided the owner declares that all tires, special waste, ozone depleting substances, and mercury switches have been removed from them.
  - (4) White goods may be accepted provided the doors have been removed. Chlorofluorocarbons shall only be removed from appliances by personnel authorized by the Designated Officer.
  - (5) Contaminated soil may be accepted after the owner of the soil has provided the Village of Mayo with lab reports and an analysis of the soil from YG Environment ; the soil must meet industrial/commercial standards as per the contaminated sites regulations; and the Village of Mayo Council has approved the acceptance of the contaminated soil at the landfill.
- h. The following controlled waste will **not** be accepted at the landfill:
- (4) Highly combustible and explosive material.
  - (5) Liquid waste.
  - (6) Radioactive material.
  - (7) Sump waste.
  - (8) Tires that do not fall under the guidelines of the designated materials regulations.
- i. Controlled waste not accepted at the landfill must be disposed of in accordance with applicable regulations. Highly combustible, explosive, and radioactive materials are regulated under the Special Waste Regulations of the *Environment Act*. Liquid waste is regulated by the Village of Mayo Sewer and Water Bylaw. Sump waste is only accepted where facilities exist to handle sump waste.
- j. Special waste (including bio-medical waste, household hazardous waste and other special waste) may be accepted at the landfill subject to the following conditions:
- (1) Asbestos may be accepted provided it is segregated and prepared for disposal in accordance with the Occupational Health Regulations of the *Occupational Health and Safety Act*, as amended from time to time.
  - (2) Ash from incinerators may not be accepted unless verified not to be special waste under the Special Waste Regulations. The owner of the waste is responsible for performing and bearing the cost for all necessary tests prior to acceptance.
  - (3) Household Hazardous Waste may only be accepted on designated Household Hazardous Waste collection days in accordance with the *Environment Act*.

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- k. No person shall remove or disturb any solid waste deposited at the landfill unless a Permit to Scavenge has been issued by the Designated Officer in accordance with the permits section of this bylaw.

### **6. PERMITS**

- a. Any person shall apply to the Designated Officer for a Permit to Dispose of Solid Waste in the prescribed form and pay the fee as designated in the Bylaw prior to disposing of waste. Conditions that may be placed on the permit may include the requirement to provide information on the origin, type and amount of solid waste from outside the Village boundaries.
- b. Any person shall apply to the Designated Officer for a Permit to Scavenge in the prescribed form prior to removing or disturbing any solid waste at the landfill. Conditions that may be placed on the Permit to Scavenge may include restrictions on the type and location of solid waste that may be scavenged.
- c. The Permit to Dispose of Solid Waste and the Permit to Scavenge shall be in the form prescribed by the Designated Officer and may be cancelled or suspended at any time with cause and at the sole discretion of the Designated Officer.
- d. The Designated Officer will review the application and may either issue or refuse the Permit to Dispose of Solid Waste and Permit to Scavenge.
- e. A person who is issued a Permit to Dispose of Solid Waste or Permit to Scavenge shall meet all terms and conditions of the permit on a continuous basis.

### **7. IMPROPER DISPOSAL AND TRANSPORTATION**

- a. Any person who permits or causes any storage, collection, or transportation of solid waste contrary to the provisions of this bylaw, commits an offence, and in addition to the penalties provided hereunder, shall be liable to pay the cost of the clean-up and disposal of such waste.
- b. Any person who permits or causes any disposal of solid waste contrary to the provisions of this bylaw, commits an offence, and in addition to the penalties provided hereunder, shall be liable to pay the cost of the removal and proper segregation and disposal of such waste.
- c. Any person who causes or permits to cause any deposition of solid waste outside of the designated solid waste facility shall be responsible for the removal, clean-up and proper disposal of the solid waste, and all associated costs and fines.



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- d. Any person who causes or permits to cause any deposition of solid waste other than at the prescribed area within a designated solid waste disposal facility shall be responsible for the removal, clean-up and proper disposal of the solid waste, and all associated costs and fines.

### **8. PAYMENT**

- a. All haulers (other than those transporting residential waste from their own dwellings) who wish to establish an account for payment of fees for using the landfill shall;
  - (1) Be responsible for the payment of all accounts within 30 days of the invoice date for the material disposed of. The disposal of solid waste at the landfill shall be subject to the amounts set out in Schedule A of the Bylaw;
  - (2) Be subject to a penalty charge of 2% percent of the current unpaid account that remains unpaid for a period exceeding 60 days from the due date; and
- b. The registered owner of property within the Village shall be liable for all rates, fees and costs chargeable or payable under this bylaw with respect to that property. The Village may make the balance of any account in arrears over 60 days, together with a penalty of ten percent of such arrears, a charge against the property to which the collection service was supplied, as a special tax to be recovered in like manner as other taxes on real property.

### **9. PENALTIES**

- a. Any person who commits an offence subsequent to any provisions of this bylaw is liable, upon summary conviction to:
  - (1) a voluntary fine under section 20 of the *Summary Convictions Act*, issued in respect of an offence specified in Schedule "B" attached hereto and forming part of this bylaw; or
  - (2) a fine not exceeding ten thousand dollars (\$10,000.00) where proceedings are commenced pursuant to the summary conviction provisions of the *Criminal Code of Canada*; or
  - (3) a fine not exceeding five hundred dollars (\$500.00) where proceedings are commenced pursuant to the *Summary Convictions Act* of Yukon.
- b. Where an offence is committed or continued on more than one day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.
- c. Property owners found in violation of the improper disposal and transportation sections of this bylaw in a second or subsequent offence in any calendar year may be subject to a mandatory court appearance.

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- d. Should any person owning or occupying real property within the Village refuse or neglect to pay any penalties that have been levied pursuant to this bylaw, the Designated Officer may inform such person in default that if these charges are unpaid on the thirty-first day of December on the same year, these shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

### **10. GENERAL INTERPRETATIONS**

- a. Wherever the singular or the masculine is used in this bylaw, the same shall be deemed to include the plural or the feminine or the body politic or corporate where the context of the bylaw requires.
- b. The invalidity of any section, sentence, or provision of this bylaw shall not affect the validity of any other part of this bylaw which can be given effect without such invalid part or parts.

### **11. BYLAW SHALL PREVAIL**

- a. Where the provisions of this bylaw conflict with the provisions of any other bylaw of the Village, the bylaw with the more stringent provisions shall prevail.

### **12. COMING INTO FORCE**

- a. This bylaw shall come into full force and effect on the final passing thereof.
- b. Bylaw #270 is hereby repealed.

Read a first and second time this 7 day of January, 2015.

Read a third and final time this 21 day of January, 2015.

  
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Mayor

  
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Chief Administrative Officer

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### SCHEDULE "A"

<b>Residential Permit</b>	
Annual	\$80.00
Seasonal:	
3 month	\$25.00
6 month	\$40.00
<b>Commercial Permit</b>	
Annual	\$160.00
Seasonal:	
3 month	\$50.00
6 month	\$80.00
<b>Scavenging Permit, (Annual)</b>	\$0.00
<b>All other waste - per m<sup>3</sup></b>	\$10.00
White Goods with Freon, (fridge, freezer, air conditioners, water coolers)	\$40.00 each
White Goods - Other, (stove, dishwasher, washer, dryer, hot water tank)	\$20.00 each
Automotive Batteries	\$6.00 each
Tires - 24.5" or less inner diameter	\$0.00 each
Vehicles	\$125.00 each
Oil Tanks, (up to 250 gallon)	\$125.00 each
Animal Carcass - small	\$10.00 each
Animal Carcass - large	\$20.00 each
Paint cans	\$5.00 each
Limited amounts of commercial grade contaminated soil, upon special approval by VoM Council, may be accepted	\$50.00 / cu m

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### **SCHEDULE "B"**

<b><u>Authority</u></b>	<b><u>Ticket Description of Offence</u></b>	<b><u>Penalty</u></b>
Sections 3	Dispose solid waste contrary to bylaw	\$200.00
Section 4(1)	Fail to use commercial containers	\$50.00
Section 4(2)	Fail to transport solid waste to a solid waste disposal facility	\$200.00
Section 4(3)	Transport solid waste to unauthorized site	\$200.00
Section 5	Dispose hot ash or burning matter in solid waste	\$500.00
Section 6	Unauthorized scavenging	\$50.00
Section 7	Unauthorized burning of solid waste	\$200.00
Sections 4-7	Second Offence (in a 12-month period)	\$250.00
Sections 4-7	Third Offence (in a 12-month period)	\$300.00
Section 10	Allow solid waste to fall from vehicle	\$200.00
Section 13(1)	Fail to follow directions of Designated Officer and posted signs	\$50.00
Section 13(2)	Improper disposal of waste at landfill	\$50.00
Section 14	Deposit solid waste at/near landfill when site is closed	\$200.00
Section 15	Disposal of waste without Permit	\$200.00
Section 16	Fail to segregate and properly dispose of controlled waste	\$200.00
Section 19	Deposit unauthorized controlled waste at landfill	\$500.00
Section 21	Deposit unauthorized special waste at landfill	\$25,000.00
Section 22	Scavenging without Permit	\$200.00
Section 23	Dispose of solid waste at landfill without permit	\$200.00
Section 24	Scavenging without permit	\$200.00
Section 27	Fail to meet terms and conditions of permit	\$200.00
Section 28	Permits storage, transportation or disposal contrary to bylaw	\$200.00
Section 30	Fail to remove, clean-up and dispose of solid waste that has been deposited at a location other than a solid waste disposal facility	\$200.00