

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

**A BYLAW OF THE TOWN OF BON ACCORD TO ESTABLISH TERMS AND CONDITIONS FOR THE
PROVISION OF WASTE COLLECTION AND RECYCLING SERVICES IN THE TOWN OF BON ACCORD**

WHEREAS the Municipal Government Act, RSA 2000, c. M-26 provides that a Council may pass bylaws respecting public utilities; and

WHEREAS it is deemed advisable and expedient to set out the terms and conditions applicable to the collection and disposal of solid waste and the provision of recycling services within the Town of Bon Accord;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

SECTION 1 – SHORT TITLE

- 1.1 This Bylaw may be referred to as "The Waste Collection Bylaw".

SECTION 2 – DEFINITIONS

- 2.1 "Ashes" means the powdery residue left after the combustion of any substance and includes partially burnt wood, charcoal or coal;
- 2.2 "Authorized Person" means any employee of the Town of Bon Accord authorized by Administration for the purpose of providing waste collection services;
- 2.3 "Automated Bin Service" means a collection service where Waste Materials are stored in a bin constructed to be emptied mechanically into a collection vehicle;
- 2.4 "Building Material" means:
- 2.4.1 board lumber, such as 2 x 4's, 2 x 6's, 2' x 10's, baseboards, etc., which are limited to lengths of 0.9m (36"); or
 - 2.4.2 sheet lumber, such as plywood, paneling and drywall, limited to 0.9m x 0.3m (36"x 12") sheets with maximum thickness of 25mm (1"); or
 - 2.4.3 insulation, plastic, or other such material used in the construction or re-construction of a building or facility;
- 2.5 "Chief Administrative Officer" means the Chief Administrative Officer for the Town of Bon Accord;
- 2.6 "Clerk of the Provincial Court" means an officer of a Provincial court who - accepts filings, issues process and keeps records;
- 2.7 "Collection Day" shall mean the day or days during each week on which waste is collected from a specific premise;
- 2.8 "Collection Service" means the curbside or roadside collection of Waste Materials, Organic Materials, Fibre Recyclables and Container Recyclables;

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

- 2.9 "Collector" means the Person or Persons appointed by the Town for the purpose of collecting and disposing of Waste Materials, Organic Materials, Fibre, Recyclables and Container Recyclables;
- 2.10 "Commercial Bin" means secure container used for the purposes of storing and disposing of commercial or sizeable waste;
- 2.11 "Commercial Facilities" includes stores, warehouses, and commercial facilities;
- 2.12 "Community Peace Officer" means a Bylaw Enforcement Officer appointed by the Town pursuant to the Municipal Government Act, RSA 2000, c. M-26, to enforce the Town Bylaws, and includes a member of the Royal Canadian Mounted Police, and when authorized, a Special Constable;
- 2.13 "Compulsory Service" means the requirement for Collection Services within the Urban Service Area or properties as set out in Schedule "A" to this Bylaw;
- 2.14 "Container" will be one or a combination of the following:
- 2.14.1 Waste collection cart, supplied to eligible premises for use by the Householder
 - 2.14.2 Aerated organics collection cart supplied to eligible premises by the Town
 - 2.14.3 Reusable and non-reusable bags for Fibre and Container Recyclables
- 2.15 "Container Recyclables," means glass bottles and jars, aluminum, steel and tin cans, margarine and yogurt containers, grocery and retail bags, plastic bottles with twist off top, beverage containers, polycoat milk cartons, plastic milk jugs and juice cartons, tetra packs and mini-sip containers or other items designated by Council from time to time;
- 2.16 "Council" means the Municipal Council of The Town of Bon Accord;
- 2.17 "Fees and Charges" means the Town's Fees and Charges as set out in Schedule "B" of this bylaw;
- 2.18 "Fibre Recyclables" means mixed paper, corrugated cardboard, newsprint, box board, magazines, catalogues, flyers, telephone or other soft cover books, paper egg cartons, polycoat milk containers or other similar material designated by Council from time to time;
- 2.19 "Four Stream Waste Collection" means the collection of Waste Materials, Organic Materials, Fibre Recyclables and Container Recyclables;
- 2.20 "Householder" means any owner, occupant, lessee or tenant or any other Person in charge of any Dwelling;
- 2.21 "Industrial/Commercial/Institutional Waste" or "ICI Waste" means material of similar composition as mixed waste collected within the Town other than by Town Collection;
- 2.22 "Institutional Facilities" shall mean a hospital, nursing home, hotel, or school;
- 2.23 "Multi-Family Complex" means a building or private community containing three or more units, including apartment buildings, townhouses, condominiums or manufactured home parks;
- 2.24 "Organic Materials" means leaves, grass clippings, garden waste, house and garden plants, sawdust, wood shavings and kitchen food waste (fruits, vegetables and peelings, table scraps, meat, poultry fish, shell fish, dairy products, cooking oil, grease, fat, bread, grain, rice, pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags, soiled cardboard, soiled paper and pizza boxes) as designated Public Works Supervisor and Council from time to time;
- 2.25 "Owner" means the person who is registered under the Land Titles Act, RSA 2000 c. L-4, as amended or replaced from time to time, as the owner of the fee simple estate in land,

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

- or a Person who is recorded as the Owner of the property on the tax assessment roll of the Town;
- 2.26 "Person" means any Person, Householder, firm, partnership, association, corporation, company or organization of any kind;
- 2.27 "Recommencement of Service" means a point in time in which Collection Services and billing for such service will resume.
- 2.28 "Recycling Service" means curbside, roadside or any recycling or waste diversion service or program available to all Town residents for the collection of Organic Materials, Fibre Recyclables and or Container Recyclables;
- 2.29 "Recycling Station" means any area within the Town, designated by the Town, to receive recyclable materials;
- 2.30 "Residential Facilities" means any detached single family dwelling or residence, duplex, or Multi-Family Complex designed for individual family living;
- 2.31 "Roadway" means a roadway within the meaning of the Traffic Safety Act, RSA 2000, c. T-6, as amended or replaced from time to time;
- 2.32 "Supplementary Collection Services" means Collection Services beyond the base level of service as established by Council;
- 2.33 "Town" means The Town of Bon Accord;
- 2.34 "Transfer Station" means any area designated within the Town for accumulation of Waste Materials for subsequent transportation;
- 2.35 "Urban Service Area" means the service area within the Town of Bon Accord;
- 2.36 "Utility Bill" means a bill which sets out the fees levied by the Town on an annual, monthly, bi-monthly or quarterly basis for utility services provided by the Town;
- 2.37 "Violation Tag" means a tag or similar document issued by the Town pursuant to the Municipal Government Act, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time;
- 2.38 "Violation Ticket" means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, RSA 2000, c. P-34, as amended or repealed and replaced from time to time;
- 2.39 "Waste Disposal Site" means any area designated by the Town for solid waste disposal;
- 2.40 "Waste Materials" means any material discarded from a Dwelling or Multi-Family Complex that is not Fibre Recyclables or Container Recyclables, Organic Materials or Yard Waste;
- 2.41 "Yard Waste" means roots, hedge and shrub trimmings, brush cuttings, twigs, branches, stumps, tree trunks, sod and other similar materials.

SECTION 3 – ADMINISTRATION

- 3.1 The Chief Administrative Officer may delegate the administration of this Bylaw to the following employee positions:
- 3.1.1 Public Works Supervisor
- 3.1.2 Utilities Billing Clerk; or position similar thereof

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

SECTION 4 – COLLECTION AND RECYCLING SERVICES

- 4.1 Subject to section 4.1.1 of this Bylaw, no Person other than the Town of Bon Accord shall provide Collection Services or Supplementary Collection Services, except as provided in Schedule 'A', within the Urban Service Area.
 - 4.1.1 If a Person, who at the date of passage of this Bylaw, was providing or receiving Collection Services or Supplementary Collection Services within the Urban Service Area subsequently discontinues providing such services, that Person may not recommence providing such services at a later date unless approved by Council.
- 4.2 Every person who operates a private Collection Service must:
 - 4.2.1 Comply with requirements of this Bylaw;
 - 4.2.2 Obtain any permit required by this Bylaw or any Provincial statute and regulations;
 - 4.2.3 Refuse to collect Waste Materials, Organic Materials, Fibre Recyclables and or Container Recyclables from premises who's Householders do not comply with the requirements of this Bylaw. Notwithstanding any other provision in this Bylaw to the contrary, a Person who operates a private Collection Service may select whatever Container suitable to their operation for those Householders using their services to use for placing Waste Materials, Organic Materials, Fibre Recyclables and Container Recyclables for collection.
 - 4.2.4 Provide all services as offered by the Town with respect to Collection Services to maximize diversion from the landfill.

SECTION 5 – RATES AND CHARGES, OPENING AND CLOSING OF ACCOUNTS

- 5.1 The rates and charges to be charged for Collection Service, Recycling Service and for processing or disposal shall be as set out from time to time in the Fees and Charges schedule of this Bylaw.
- 5.2 Collection Service charges will be billed in accordance with Schedule "B" to this Bylaw.
- 5.3 The Town of Bon Accord requires that new account requests or changes for utility services, provided by the Municipality, be placed in the name of the owner(s) registered on the property title only.
- 5.4 An account must be opened before Collection Service by the Town is provided.
 - 5.4.1 Applications for Collection Service will be made in writing to the Town.
 - 5.4.2 After the date of passage of this Bylaw, Subscription Accounts for the provision of Collection Service will only be entered into with the Owner of the property.
- 5.5 That the Council shall have the right to determine into which classification any service belongs and the Council's decision shall be final and binding on all persons concerned.
- 5.6 All Utility Bills will be due and payable when rendered by the Town and payments will be made at the address indicated on the Utility Bill or to an agent of the Town.
- 5.7 That in the event a Utility Bill remains unpaid after the date fixed for payment, a penalty as the Council may establish by resolution from time to time will be added to the principal outstanding amount thereto and form part of the rates levied.

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

- 5.8 That in the event that the Utility Bill remains unpaid for a period of forty-five (45) days after the date of mailing of the account, the Chief Administrative Officer or its designate may cause a disconnection of all Utility Services, the Town will proceed with collection measures as provided in section 5.9 of this Bylaw.
- 5.9 Any Utility Bill remaining unpaid under this Bylaw will constitute a debt owing to the Town and is recoverable by any or all of the following methods, namely:
- 5.9.1 by action in any court of competent jurisdiction;
 - 5.9.2 by discontinuing any Collection Service being supplied to Owner without notice;
 - 5.9.3 by collecting in a like manner as municipal rates and taxes.
- 5.10 The Chief Administrative Officer may cancel Collection Service to a Householder in the event that a Utility Bill remains unpaid as described in section 5.8 of this Bylaw.
- 5.11 Closing of Account
- 5.11.1 Collection Service accounts may be closed in accordance with attached Schedule "A".
 - 5.11.2 The Town may continue to levy Collection Service charges in accordance with this Bylaw until a Collection Service account is closed in accordance with the provisions of this Bylaw.
- 5.12 The power to do any of the things provided for in this Bylaw, for the purpose of enforcing payment of any Utility Bill as may be deemed necessary, is hereby delegated to the Chief Administrative Officer.

SECTION 6 – PREPARATION OF MATERIALS FOR COLLECTION

- 6.1 Yard Waste will be prepared for collection by compacting and tying in secure bundles not more than 1 metre (3.3 ft.) in length and placed in the Container designated Waste Materials.
- 6.2 Ashes will be packaged cold in biodegradable bags and placed in the Container designated for Organic Materials.
- 6.3 Sawdust will be placed in the Container designated for Organic Materials.
- 6.4 All pet related feces and cat litter must be packaged in plastic bags and placed in the Container designated for Waste Materials.
- 6.5 Building Materials, for purposes other than new construction, will be limited to 1 m (3.3 ft) in length and placed in the Container designated for Waste Materials.
- 6.6 New construction Building Material must be placed in a Commercial Bin (i.e. container) that has been provided for by the entity conducting the new construction.
- 6.7 Grass clippings and leaves will be placed in the Container designated for Organic Materials.
- 6.8 All other Waste Materials will be deposited in the Container designated for Waste Materials but limited to the capacity of the Container with the lid closed.
- 6.9 No Owner will place, permit to be placed, or mix any of the following materials for removal:

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

- 6.9.1 any highly combustible or explosive waste, including, without restricting the generality of the foregoing, such materials as hot Ashes, ignitable waste, motion picture film or toxic materials;
- 6.9.2 any compound that may be considered dangerous or hazardous under the provisions of any other legislation whether Provincial or Federal;
- 6.9.3 hypodermic needles;
- 6.9.4 sharp objects or broken glass unless packaged to allow safe handling; or
- 6.9.5 luminescent gas filled tubes, unless such tubes are encased in a container of sufficient size and strength to protect such tubes from breakage and thereby allowing safe handling;
- 6.9.6 dead animals or animal parts.

SECTION 7 – RESTRICTIONS ON COLLECTION SERVICE

- 7.1 Collection Service will not be provided if:
 - 7.1.1 the Container is not a proper Container supplied by the Town as described in section 2.14; or
 - 7.1.2 the lids on the Waste Materials or Organic Materials Container are not closed and material is overflowing; or
 - 7.1.2 there is loose materials not placed in the Container; or
 - 7.1.3 the Container contains material(s) described in section 6.9; or
 - 7.1.4 the materials have not been prepared as described in part 6; or
 - 7.1.5 the Container is not located as described in part 8; or
 - 7.1.6 the Container contains materials other than the materials permitted by the Town in its Four Stream Collection service.

SECTION 8 – COLLECTION, STORAGE LOCATIONS, AND SCHEDULING

- 8.1 Every Householder to which this Bylaw applies shall obtain, from the Town, collection Containers suitable for containing all of the Waste Materials and Organic Materials generated from the premises on a weekly basis.
- 8.2 Where an Organics container is not required by the Householder the container may be returned to the Town, no reduction or adjustments will be made to the Householders Utility Bill as a result.
- 8.3 A Householder may request the Town to provide a replacement Container or one additional Container, the service fees for which the Householder is liable under this Bylaw shall be adjusted in accordance with Schedule “C” of this Bylaw.
- 8.4 The Householder shall maintain all Containers supplied by the Town in a clean and sanitary condition at all times, and shall notify the Town of any lost, stolen or damaged Containers and obtain a replacement if deemed necessary.
- 8.5 Incremental containers will be provided to the Householder and must be retained for a minimum of one year otherwise a service fee may apply per the Fees and Charges Schedule of this Bylaw.
- 8.6 The Householder shall place all Containers on road adjacent to the Householder's land and not separated from it by any fence, gate or other structure, prior to 7:30 a.m. on the

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

- collection day, as specified from time to time by the Public Works Supervisor but not earlier than 5:00 p.m. on the previous day.
- 8.7 No Container shall be placed for collection such that it is within one meter of any structure or other object.
- 8.8 No Container shall, except when placed for collection, be located other than on the Householder's premises, and in particular no Container shall be located so as to encroach on any Roadway, highway, boulevard, lane or public place except as expressly required by this Bylaw.
- 8.9 No person shall place any Waste Materials or Organic Materials for collection in any Waste Materials or Organic Materials Container intended to be emptied by automated machinery, other than a Container provided by the Town.
- 8.10 Collection of Waste Materials and Organic Materials shall be weekly (once every week). Collection of Fibre Recyclables and Container Recyclables shall be on a bi-weekly basis (once every two weeks). Organics will only be collected in the months of May through October or as determined by the Public Works Supervisor.
- 8.11 Waste Materials Containers and Organic Materials Containers must be removed from curbside by 9:00 p.m. the day of collection. Any materials not collected must be removed from curbside by 9:00 p.m. the day of collection unless rescheduling for the next day has occurred due to an unscheduled service interruption by the Collector.
- 8.12 The days and times of Collection Service will be the days and times approved by the Public Works Supervisor

SECTION 9 – WASTE CONTAINERS, DISPOSAL SITES, AND RECYCLING STATIONS

- 9.1 All Persons utilizing a Waste Disposal Site or Recycling Station will obey all signs, posted regulations and directions of site attendants - if applicable.
- 9.2 No person other than the lawful user, or an authorized employee of the Town or employee of the Waste Collection Contractor shall open any garbage tote or disturb the contents of totes or blue bags or remove anything from totes, blue bags, nor shall any other person handle, interfere with, or in any manner disturb any garbage of any kind put out for collection or removal.
- 9.3 No person shall operate a vehicle in the Town while it is carrying garbage or commercial / industrial waste unless the portion or the vehicle in which material is being carried is securely covered or the material is secured to prevent any part of such material from falling off, or out of, the vehicle while in transit.
- 9.4 No person or business/commercial entity shall construct a new building or facility without the provision of a Commercial Bin (at their own cost) on site to provide for the storage and removal of new construction waste, including that of Building Material waste.

SECTION 10 – OFFENCE AND PENALTIES

- 10.1 Community Peace Officers are hereby authorized to enforce the provisions of this Bylaw.
- 10.2 Any Person who contravenes a provision of this Bylaw is guilty of an offence and is liable to a penalty as set out in Schedule "C" of this Bylaw.

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

- 10.3 Notwithstanding section 10.2 of this Bylaw, any Person who commits a second or subsequent offence under this Bylaw within one (1) year of committing the first offence is liable to a fine of not less than nor more than double the amount as set out in Schedule "C" to this Bylaw.
- 10.4 A Person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided, is liable to a fine of not less than One Hundred (\$100.00) Dollars and not more than Ten Thousand (\$10,000.00) Dollars.
- 10.5 Under no circumstances will any Person contravening any provision of this Bylaw be subject to the penalty of imprisonment.
- 10.6 Nothing in this Bylaw will be construed as curtailing or abridging the right of the Town to obtain compensation for or to maintain an action for loss of or damage to property from or against the Person or Persons responsible.

SECTION 11 – VIOLATION TAG

- 11.1 A Community Peace Officer is hereby authorized and empowered to issue a Violation Tag to any Person who the Community Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 11.2 A Violation Tag may be issued to such Person:
 - 11.2.1 either personally; or
 - 11.2.2 by mailing a copy to last known post office address.
- 11.3 The Violation Tag will be in a form approved by the Chief Administrative Officer and will state:
 - 11.3.1 the name of the Person;
 - 11.3.2 the offence;
 - 11.3.3 the appropriate penalty for the offence as specified in Schedule "C" of this Bylaw;
 - 11.3.4 that the penalty will be paid within thirty (30) days of the issuance of the Violation Tag;
 - 11.3.5 any other information as may be required by the Chief Administrative Officer.
- 11.4 Where a contravention of this Bylaw is of a continuing nature, further Violation Tags may be issued by the Community Peace Officer, provided however, that no more than one Violation Tag will be issued for each day that the contravention continues.
- 11.5 Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to Town the penalty specified on the Violation Tag.

SECTION 12 – VIOLATION TICKET

- 12.1 In those cases where a Violation Tag has been issued and if the penalty specified on a Violation Tag has not been paid within the prescribed time, then a Community Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, RSA 2000, c. P-34, as amended or repealed and replaced from time to time.

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

- 12.2 Notwithstanding section 12.1 of this Bylaw, a Community Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time, to any Person who the Community Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 12.3 Where a Violation Ticket has been issued to a Person pursuant to this Bylaw, that Person may plead guilty to the offence by submitting to a Clerk of the Provincial Court, the specified penalty set out on the Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.
- 12.4 Notwithstanding section 12.3, for any offence of the Bylaw issued pursuant to section 10.4, the Community Peace Officer has the discretion to require a mandatory court appearance by the Person to whom the Violation Ticket was issued.

SECTION 13 – SEVERABILITY

- 13.1 Should any provision of this bylaw be invalid then such provision shall be severed and the remaining bylaw shall be maintained.

SECTION 14 – GENERAL

- 14.1 Nothing in this Bylaw will operate to relieve any Person from complying with any Federal, Provincial or other Town of Bon Accord law, order, regulation or Bylaw.
- 14.2 Bylaw 2010-08 Waste Collection Bylaw is hereby repealed.
- 14.3 This Bylaw will come into force and effect after third reading and upon being signed.

THIS BYLAW WILL COME INTO EFFECT UPON RECEIVING 3RD READING

READ A FIRST TIME THIS 4th DAY OF January, 2011.

Mayor Randolph Boyd

Chief Administrative Officer Vicki Zinyk

READ A SECOND TIME THIS 4th DAY OF January, 2011.

Mayor Randolph Boyd

Chief Administrative Officer Vicki Zinyk

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

READ A THIRD TIME THIS 18th DAY OF January, 2011.

Mayor Randolph Boyd

Chief Administrative Officer Vicki Zinyk

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

SCHEDULE 'A'

**COLLECTION SERVICES AND RECYCLING SERVICE
ELIGIBILITY AND OPTING-OUT GUIDELINES**

COLLECTION SERVICES

- 1.1 Eligibility Provision:
- 1.1.1 Compulsory Service: Household members within the Urban Service Area who receive a water and/or sewer Utility Bill from the Town will receive Collection Services automatically and an account will be established and effective as of the date of ownership or occupancy whichever first occurs. This excludes all apartments, multi-family complex, Institutional and Commercial Facilities.
 - 1.1.2 Subscription: Household members residing within a Multi-Family Complex may apply for Collection Service as a group in accordance with part 5 of this Bylaw. Upon approval all Household members within the site will be provided and billed for Collection Services.
 - 1.1.3 In the event Household members referred to in clause 1.1.1 herein require Collection Services beyond the level of service established by Council, the Household members must apply to the Town for Supplementary Collection Services. The Town will have the right to accept or reject the application for Supplementary Collection Services, on terms and conditions as established by Council. In the event the Town rejects the application for provision of Supplementary Collection Services, the Household members may use other Collection Service providers for the Supplementary Collection Services only. The provision of Supplementary Collection Services by the Town or other private Collection Service providers does not affect the Collection Service and conditions described in clause 1.1.1 herein.
 - 1.1.4 Subscription Account: Owners within the Urban Service Area who do not receive a water and/or sewer Utility Bill from the Town may apply for Collection Service in accordance with part 5 of this Bylaw.
- 1.2 Opting-out Provision:
- 1.2.1 Household members may opt-out of Collection Service if:
 - 1.2.1.1 a Household member resides on a property greater than 0.81 ha (2 acres) in area or;
 - 1.2.1.2 the premise is not occupied for cooking, eating, sleeping, or living purposes for a consecutive period of three (3) months, or more, or;
 - 1.2.1.3 an application has been made to Town of Bon Accord Council for in-camera consideration and approval at a regular Council meeting. The decision will be made at Council's sole discretion and will be based on landowner (i.e. resident) identification of a significant, extenuating, circumstance that would generate a need to opt out of Waste Collection services. The results of the decision will be disclosed to the resident within fifteen (15) working days of the meeting.
 - 1.2.2 Household members residing within Multi-Family Complexes may opt-out of collection from the Town, as a group, only if the Household members have contracted for Automated Bin Service. Upon written confirmation to the Town that a contract is

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

in place for Automated Bin Service, Collection Service will be discontinued to all Householders within the site.

- 1.2.3 The effective date for Opting-out of Collection Service, per Schedule “D” of this bylaw, will be the date upon which the Chief Administrative Officer accepts, and receives Council approval, and provides Landowner with written confirmation of the application.
- 1.2.4 Householders’ opting-out of Collection Service may be subject to a Recommencement of Service fee as described in the Statutory Declaration schedule, Schedule “D”, of this Bylaw.

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

SCHEDULE 'B'

COLLECTION SERVICES BILLING PROCEDURE

- 1 Where there is a Compulsory Service for utility services, Collection Service charges will be included in the Utility Bill.
- 2 Where Collection Service is added or deleted during a billing period, Utility Bills may be prorated in accordance with the actual number of days of service is provided by the Town in the billing period.
- 3 Where a Utility Bill has been prepaid and Collection Service is discontinued, the Town will provide a refund on a prorata basis.
- 4 A utility bill shall be mailed to the owner(s) showing the current service charges and any penalty amounts owing, payment for the amount due shall be due and payable when the account is rendered with payment to be made to the Town at the office of the Chief Administrative Officer or at such other place as may be designated from time to time by the Council. Failure to receive a utility bill shall in no way affect the liability of the owner(s) to pay and keep the account current.
- 5 If in accordance with Section 5.8 the account remains unpaid for a period of 45 days after the billing period, the Chief Administrative Officer or Utility Clerk shall order the service turned off unless it is considered there are extenuating circumstances then the overdue amount will be put on the tax roll.
- 6 Any person intending to vacate any premises that have been supplied with waste collection services by the Town of Bon Accord or who is desirous of the discontinuing the use thereof shall give notice of the same at the office, otherwise the rates therefore shall be charged until such notice is given.

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

SCHEDULE 'C'

Waste Collection: One (1) pick-up per week (or as prescribed by the Public Works Supervisor)

Residential: (single / duplex unit / dwelling) One waste and one organics tote	\$21.50 per month
Extra waste totes	
Waste	\$ 8.45 per month
Organics tote (1 yr minimum retention)	\$ 4.45 per month
Seniors self contained, apartments, 4 plexes, and commercial / industrial pickup	Other Service Provider

Late Payment Penalty **2% per month**

Replacement Totes (supply)

Replacement of damaged totes due to negligence **Flow through of cost**

Direct Landfill Use

User pay based – reported by landfill **\$0.038 per kilogram**

Penalties - First Offence

Improper materials for removal as waste, recycling or organics **\$100.00**

Improper location of Containers (i.e. improper placement for pick-up) **\$100.00**

Improper storage of Containers (not on private property or in view from a Roadway, highway, boulevard, Lane or public property) **\$100.00**

Improper Container (commercial bin must be used for new construction) or non-use of Container for commercial purposes **\$500.00**

**TOWN OF BON ACCORD
BYLAW 2011-03
WASTE COLLECTION BYLAW**

SCHEDULE 'D'

STATUTORY DECLARATION

CANADA
PROVINCE OF ALBERTA
TO WIT:

) IN THE MATTER OF Bylaw 2009-08 providing for the
) levying and collection of service charges, rates, and
) penalties in connection with Collection Services.

I _____, of _____

in the Province of Alberta DO SOLEMNLY DECLARE:

1. THAT the building(s) located at the following service address:

Is not occupied for cooking, eating, sleeping, or living purposes for a consecutive period of three (3) months, or more, or that a significant extenuating circumstance exists that would generate a need for approval, from the Town of Bon Accord Council, to opt out of Waste Collection services.

2. THAT I understand I will not be eligible to receive Collection Services from the Town of Bon Accord for the specified and approved period of time upon which either the Chief Administrative Officer or Town Council approves my application for opting-out from Collection Services. I also understand that upon Recommencement of Service (i.e. resumption of waste collection services upon completion of opt out period) that I must retain the Collection Service for a minimum of six (6) months.

3. THAT the opt out period is determined as follows:

Service interruption effective: _____

Service recommencement effective: _____

4. THAT should a recommencement date not be provided at time of application all waste totes will be removed from the landowner property at or near the date of service interruption. Upon Recommencement of Service, waste totes will be provided to the above noted service address and a delivery charge of \$15.00 will be applied to the Utility Bill.

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "THE CANADA EVIDENCE ACT".

DECLARED before me at the _____)
_____ of _____)
in the Province of Alberta) _____
this _____ day of _____)

Commissioner for Oaths