

CITY OF YORKTON BYLAW NO. 16-1981

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CITY OF YORKTON
SASKATCHEWAN

BYLAW NO. 16-1981

**A BYLAW OF THE CITY OF YORKTON TO PROVIDE FOR THE REMOVAL AND
DISPOSAL OF GARBAGE, ASHES AND OTHER REFUSE.**

The Municipal Council of the City of Yorkton enacts as follows:

1. In this Bylaw the following definitions shall apply:
 - (1) "Dwelling" shall mean any building or place in the City occupied or used as a place of abode or place of living by not more than two families, but shall not mean or include any apartment house as hereinafter defined.
 - (2) "Householder" shall mean any person occupying any dwelling, habitation, or place of residence in the city, but shall not include any person who is merely a boarder, roomer, or Lodger therein or the occupant of any apartment house.
 - (3) "Apartment House" shall mean a building in the city which is, or is intended to be occupied as a habitation or place of residence by three (3) or more families living independently of one another upon the same premises; and shall also include a hotel, tenement house, lodging house, rooming house, boarding house, terrace of houses, row of cabins, or more than two suites on one legal residential site, even though they are in separate buildings, and any habitation or place of residence where three (3) or more families live, abide or dwell. Notwithstanding anything contained in the above, "Apartment House" shall also include any room or suite of rooms in any building containing any trade premises irrespective of the number of families living, abiding or dwelling therein.
 - (4) "Trade Premises" shall mean any restaurant, cafe, warehouse, store, wholesale or retail place of business, office block or building within the city, other than a dwelling or apartment house.
 - (5) "Ashes" shall mean the residue of any fuel after the same has been consumed by fire at or in any dwelling, apartment house or trade premises.
 - (6) "Garbage" shall mean the refuse or waste material, including containers from any matter for human consumption or consumption by household pets, originating from or discarded from any dwelling, apartment house or trade premises.

- (7) "Household Waste" shall mean general rubbish or accumulation of waste or discarded materials, or things of any kind of nature, other than garbage or ashes, originating from any dwelling or apartment house.
- (8) "Trade Wastes" shall mean refuse and accumulation of waste and abandoned materials resulting from the operation of a trade or business upon any trade premises, including paper, boxes and packing cases, wrapping material, sweepings, and all inflammable materials of a like nature other than garbage and ashes.
- (9) "Owner of an Apartment House" shall mean and include the agent of such owner.

2. The Director of Public Services is hereby designated as the official responsible for the control and supervision of the provisions of this Bylaw, except in cases where the said provisions relate to untidy and unsightly premises.

3. No person shall dispose of garbage, ashes, household wastes or trade wastes within the City of Yorkton, except in accordance with the provisions of this Bylaw.

Receptacles 4.

- (1) Every householder shall at all times provide and maintain upon his premises, in good and sufficient repair, one or more water-tight galvanized iron garbage receptacles or approved equivalent. All garbage originating from such premises shall be deposited in such receptacles.
- (2) Each receptacle shall be equipped with handles and a tight fitting cover, and shall be of a circular design not larger than 30 inches in height and 18 inches in diameter. Refuse shall be placed in all receptacles in such a manner that, when inverted, the contents of any container will fall out.
- (3) Garbage may be placed in plastic bags, securely tied, but not necessarily placed in an approved receptacle.

5. (1) The owner of every apartment house shall at all times provide and maintain in good and sufficient repair for the use of the occupants thereof, such number of water-tight galvanized iron receptacles or approved equivalent as, in the discretion of the Director of Public Services (which shall be final), are necessary to provide storage for the garbage originating from such apartment house over any given period of seven (7) days.

- (2) Each such receptacle shall be equipped with handles and a tight fitting cover, and shall be of a circular design not larger than 30 inches in height and 18 inches in diameter. Refuse shall be placed in all receptacles in such a manner that, when inverted, the contents of any container will fall out.
- (3) The owner of every apartment house shall deposit or cause to be deposited in such receptacles, all garbage originating therefrom, save such as may be immediately burned upon the premises.

(4) Garbage may be placed in plastic bags, securely tied, but not necessarily placed in an approved receptacle.

6. (1) Every person who occupies any trade premises shall at all times provide and maintain thereon in good repair, such water-tight galvanized iron receptacles or approved equivalent as the Director of Public Services may, in his discretion (which shall be final), deem necessary to provide storage for garbage originating from such premises over any given period of seven (7) days.

(2) Each such receptacle shall be equipped with a tight fitting cover and shall be of a design, size and construction approved by the Director of Public Services. The Director of Public Services may require that such receptacles be equipped with locks, or a locking type device.

(3) The occupant of every trade premises shall deposit or cause to be deposited in such receptacles all garbage originating therefrom.

(4) Garbage may be placed in plastic bags, securely tied, but not necessarily placed in an approved receptacle.

7. Every person required by this Bylaw to provide a garbage receptacle shall at all times, except when the same is being emptied by the Collector, or when garbage is being placed therein, keep the cover thereof tightly closed.

City
providing
receptacles

8. (1) In any case where the owner of premises contravenes the provisions of this Bylaw by failing to provide and maintain a proper receptacle for the storage of garbage originating therefrom, or a sufficient number of such receptacles where more than one is required hereunder, the Director of Public Services may provide the same for such premises at the expense of such owner.

(2) Where any charge rendered to the owner of premises for the supply of a receptacle or receptacles for garbage remains unpaid for ninety (90) days following the date on which it was first rendered, the City Treasurer shall certify the same to the City Assessor who shall direct the charge to be entered upon the tax roll as a lien and charge against the said premises, to be levied and collected in like manner as municipal rates and taxes are by law recoverable.

(3) The Assessor shall forthwith, after adding the said charge to the Tax Roll, cause particulars thereof to be sent by registered mail to the assessed owner of the said premises.

(4) Nothing in this section contained shall be deemed to relieve such owner from liability for any penalty provided for in this Bylaw for failure to provide and maintain such receptacle or receptacles.

Location of receptacles 9. Subject to the provisions of Section 10 hereof, of all garbage receptacles shall be kept at the rear or side of the premises and not more than six feet from the lane, so that the garbage collectors may have ready access thereto. In no case shall any receptacle be placed nearer than ten feet to any street, nor shall it encroach on any lane more than two feet, nor shall it impede traffic. All such receptacles shall be so secured that they cannot be overturned. In cases of trade premises, the receptacles must be placed on raised platforms not over thirty (30) inches in height with at least one (1) foot of clear space underneath.

10. Where this is no lane at the rear or side of any premises, or where, for any other reason, the provisions of Section 9 hereof cannot be reasonably complied with, such receptacles shall be kept in such place as the Director of Public Services may designate.

Disposal of ashes 11. Ashes shall not be mixed with other refuse, but shall be placed in suitable non-combustible containers not to exceed three (3) cubic feet in capacity on the rear of the lot within six (6) feet of the lane in a place convenient for collectors. Where there is no lane at the rear or side of any premises, or where, for any reason, the provisions of this section cannot reasonably be complied with, ashes and containers therefor shall be placed where the Director of Public Services may designate.

Disposal of other materials 12. Rags, paper, magazines, cartons and other like materials shall be securely tied in bundles or put in containers and placed immediately adjacent to the garbage receptacle for collection and removal.

13. The removal of refuse from places placarded by the Medical Health Officer by reason of communicable diseases shall be performed under the direction and supervision of the Medical Health Officer.

14. No person, other than a lawful user thereof or the authorized employees of the City or the Collector, shall open any garbage receptacle or remove anything therefrom, or in any manner disturb the contents thereof, or in any way handle, interfere with or disturb any rubbish put out for collection and removal.

Disposal of garbage and inflammable material 15. (1) Broken glass, crockery, stones or rocks, shall not be mixed with other refuse, but: shall be placed together in a separate garbage receptacle.
(2) Inflammable materials must be placed in separate fireproof containers and will not be picked up with garbage, trade waste or ashes. Special pick-ups may be made of these materials upon application to the Director of Public Services.

Collection of wastes 16. (1) The Director of Public Services shall arrange for the systematic collection and disposal of all the garbage, ashes, household wastes and trade wastes, originating from all dwellings, apartment houses and trade premises in the City, and all provisions as contained in this Bylaw pertaining to such collection and disposal service shall be deemed to apply only to the places as mentioned in this subsection, except as otherwise specifically provided.

- (2) The Collectors shall empty each garbage receptacle and remove the contents to the City's landfill site at such periodic intervals as may be established from time to time by resolution of Council.
- (3) The Collectors shall collect all wastes to which this Bylaw relates at the same time as garbage is collected, and dispose of the same in like manner.
- (4) The Collectors shall collect all "cold" ashes at the same time as garbage is collected, provided the cold ashes are set out beside the garbage receptacles in satisfactory containers.
- (5) The collection and disposal service, as provided for in this section, shall be rendered at the City cost, except as follows:
 - (a) Council shall establish a monthly charge to commercial establishments, apartment owners and trade premises for garbage collection, and the collector may haul tree cuttings, waste material, resulting from building construction or alteration and charge at an hourly rate for such service.
 - (b) All garbage, ashes and other wastes to which this bylaw applies may be removed by and at the cost of the owners, tenants or operators of the premises, by their own means or by hired agents, and no charge will be made by the City for such materials so removed, provided same is removed in a manner and to a place suitable to the Director of Public Services.

Fees

- (6) The Council may, from time to time, by Bylaw:
 - (a) Fix a scale of charges to be levied by the City and paid by those liable therefor under this Bylaw, for removal of garbage, ashes and other wastes;
 - (b) Provide for the manner and time within which payment of such charges shall be made.
- (7) Failure on the part of any person liable therefor to pay any charge rendered pursuant to the provisions of subsection (6) hereof, within the time which may be fixed therefor, shall be deemed to be a breach of this Bylaw.
- (8) Where a charge rendered in accordance with the provisions of this Bylaw by the City to the owner or occupant of any premises for the collection, removal and disposal therefrom of any garbage, ashes or other refuse, remains unpaid for ninety (90) days following the date on which it was first rendered, the City Treasurer shall certify the same to the City Assessor, who shall cause it to be entered upon the Tax Roll as a lien and charge against the said premises, to be levied and collected in like manner as municipal rates and taxes are by law recoverable. The City Assessor shall forthwith, after adding the said charge to the Tax Roll, cause particulars thereof to be sent by registered mail to the assessed owner of the premises.
- (9) The charge for the removal of garbage, ashes, and other wastes from Apartment Blocks may be made at the discretion of the Director of Public Services and based

on the volume of garbage, if necessary. Where the owner or operator of an Apartment Block has installed an approved type of incinerator within the building, the aforementioned basis of charging for garbage removal from Apartment Blocks shall be adjusted by the Director of Public Services.

17. No person or persons shall operate any vehicle transporting wastes or other debris of any kind along or over any highway, street, lane, vacant lot, park or public place in the City of Yorkton unless the load is completely enclosed or covered with a securely fastened covering in such a manner to prohibit any part of the load on the said vehicle finding its way to the roadway or adjacent premises.

18. The Director of Public Services may provide a complete or partial collection and disposal service to any specified premises not covered in this Bylaw upon such terms and conditions as to payment or otherwise as he may set forth.

19. (1) Council may, from time to time by resolution, approve of one or more methods for the disposal of garbage upon the premises from whence the same originates, by discharging the same directly into the City's sewers after it has first been thoroughly ground, or otherwise treated or processed, as may be specified in such resolution.
- (2) No person shall install any equipment for, nor introduce into his own or any other premises within the City, any method for disposal of garbage by discharge of the same into the City's sewers, except upon written permit of the Director of Public Services.
- (3) Where any method for disposal of garbage is approved under subsection (1) hereof, Council may by bylaw:
- (a) Fix a charge or scale of charges to be levied by the City and paid by every householder, apartment house owner, or occupant of trade premises, as the case may be, who disposes of garbage by such method;
- (b) Provide for the manner and time within which payment of such charges shall be made.
- (4) Failure on the part of any person liable therefor to pay any charge rendered pursuant to the provisions of subsection (3) hereof, within the time which may be fixed therefor, shall be deemed to be a breach of this Bylaw.
- (5) No person shall burn any garbage within the City of Yorkton unless written permission is received from the Fire Chief.

- Sanitary Landfill 20. (1) The following is hereby designated as the Sanitary Landfill of the City of Yorkton: A portion of the SW ¼ of Section 13, Township 26, Range 4, West of the Second Meridian.
- (2) The Sanitary Landfill grounds shall be enclosed by a fence with a suitable gate to

provide ingress and egress to the grounds.

- (3) No person shall be permitted to enter the grounds except a person or persons operating a vehicle for the purpose of conveying refuse into the grounds, and such person or persons shall be permitted to remain on the Sanitary Landfill grounds only as long as reasonably may be required to unload the refuse contained in the vehicle.
- (4) No person shall enter upon the City's Sanitary Landfill grounds for the purpose of removing anything therefrom, nor for the purpose of examining or in any way disturbing or handling any refuse therein.
- (5) The Director of Public Services may permit any person who is not a resident of the City to dispose of refuse in the Sanitary Landfill grounds, subject to such terms and conditions as the Director of Public Services may deem expedient.
- (6) Subsection (3) herein shall not apply to employees of the City who may have occasion to go on to the Sanitary Landfill Grounds in the course of their employment with the City, nor to officials of the City or other persons who have occasion to go on to the Sanitary Landfill grounds for the purposes of business of the City.
- (7) No person shall place or dump in the Sanitary Landfill grounds any oil or oil products, or waste oil of any kind, mixture or nature whatsoever, except in the area specifically provided and designed by the Director of Public Services in the Sanitary Landfill grounds.
- (8) The hours during which refuse may be deposited in the Sanitary Landfill grounds by any person or persons conveying refuse to the said Sanitary Landfill grounds shall be:

Summer Hours – May 1 to October 31

Monday to Friday	8:00 a.m. to 9:00 p.m.
Saturday	8:00 a.m. to 6:00 p.m.
Sunday & Holidays	Closed

Winter Hours – November 1 to April 30

Monday to Saturday	8:00 a.m. to 6:00 p.m.
Sunday & Holidays	Closed

and may be changed from time to time by resolution of Council.

Amended By
Bylaw
No. 32/1981

(9) **No person shall burn any refuse or cause any fire to be set at the Sanitary Landfill Grounds, except in a designated dry disposal area; and no person shall deposit any combustible or inflammable refuse in the cell area of the said Sanitary Landfill Grounds except as directed.**

(10) No one shall dispose of the carcass of any dead animal, fowl, or any form of livestock at the Sanitary Landfill grounds, save upon notification to the operator of the Sanitary Landfill, and upon such terms as to disposal and payment therefor as may be demanded by the City of Yorkton.

(11) No person or persons shall deposit any hazardous waste materials or waste not suitable for deposit by the landfill method.

Penalties 21. Any person guilty of a breach of any of the provisions of this Bylaw, or of a breach of any of the provisions of any resolution of Council passed pursuant to this Bylaw, or of a breach of any direction given him or her by the Director of Public Services in accordance with this Bylaw, shall, on conviction thereof, be liable to the penalties imposed under Penalty Bylaw No. 1690 of the City of Yorkton.

22. This Bylaw shall come into full force and effect on the date that approval is received from the Minister of Public Health and the Minister of the Environment.

23. Bylaw No. 926, No. 1403, No. 1612, No. 1902, and any amendments thereto, are hereby repealed.

Introduced and read a first time this 1st day of June, A. D. 1981.

Read a first time this 22nd day of June, A. D. 1981.

Read a second time this 22nd day of June, A. D. 1981.

Read a third time this 22nd day of June, A.D.1981, after unanimous agreement had been reached to have a third reading, and passed unanimously this 22nd day of June, A. D. 1981, and registered in the Bylaw Register of the City of Yorkton.

Mayor

City Clerk