



***CONSOLIDATED* BY-LAW NO. 2759/H&S/25**

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK IN THE NORTHWEST TERRITORIES TO PROVIDE FOR GARBAGE COLLECTION, REMOVAL AND DISPOSAL

PURSUANT to the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c. 22, the Council of the Municipal Corporation of the Town of Inuvik in the Northwest Territories, in regular session, duly assembled, enacts as follows:

1.0 SHORT TITLE

1.1 This by-law may be cited as the **“Solid Waste Collection By-law”**.

2.0 INTERPRETATION

2.1 In this by-law:

- 1) **“Apartment Complex”** means any residential building which is either occupied or intended to be occupied by more than eight families living independently of one another upon the same premises.
- 2) **“Ashes”** means the powdery residue accumulated on property left after the combustion of any substance and includes any partially burnt wood, charcoal, coal or other material;
- 3) **“Bulky Waste”** means large items of refuse that are not garbage and includes appliances, furniture, mattresses, automobiles and automobile parts, concrete, tires, grease, oil, night soil, scrap metal, derelict machinery, car and truck bodies, derelict boats, derelict motor toboggans, non-working or scrap machinery, large containers, tree cuttings exceeding 1 metre in length or 5 centimetre in diameter, tree stumps, roots, turf, earth, rocks, iron, any other bulky material in excess of 1.2 metres in length or 23 kilograms in weight, other such waste matter as may accumulate as a result of demolition or construction operations, and any other material designated by the Director of Public Services to be uncollectable.
- 4) **“Collection”** means the removal of garbage from an approved receptacle to the solid waste disposal facility where such removal is done by the municipality or a contractor under contract for the Town.

- 5) **“Commercial Premises”** means any building used as any type of industrial or commercial establishment including warehouses, factories, stores, cafes, wholesale or retail business places, office blocks, hospitals, schools, hotels and motels, and any other establishment which is designated by Council as constituting commercial premises.
- 6) **“Construction and Demolition Waste”** means waste building materials and rubble resulting from construction, repair, remodeling or demolition activities and shall include tree stumps, earth, sand and stone.
- 7) **“Council”** means the municipal council of the Town of Inuvik.
- 8) **“Director of Infrastructure”** means the person appointed by the Council of the Town of Inuvik as the Director of Infrastructure, and includes any person designated by them to act on their behalf.
- 9) **“Garbage”** means waste or debris from domestic, commercial or industrial activities including broken household dishes and utensils, condemned meats, fish, fruits and vegetables resulting from the handling, preparation, cooking and consumption of food, empty or partly empty tins, boxes, cartons, bottles and containers, discarded paper and fabric, solid waste, liquid waste, rubbish, and yard rubbish.
- 10) **“Blue Bin Commercial Container”** means a type of garbage receptacle designed for the storage of waste between collection times that prevents access to such waste by domestic animals and wildlife, and the design, construction and location of which has been approved by the Town.
- 11) **“Garbage Unacceptable for General Collection”** includes bulky waste, construction and demolition waste, toxic and hazardous materials, trade waste and night soil (honey bag or other receptacle used for the collection of human waste).
- 12) **“Hazardous Waste”** means any waste that may present a hazard to persons, flora, fauna, or public lands, including wastes of a pathological, an explosive, a highly flammable, a radioactive or a toxic nature.
- 13) **“Inert Waste”** means waste which is neither chemically nor biologically reactive and will not decompose or only very slowly.
- 14) **“Liquid Waste”** means garbage made up of waste materials or substances that have sufficient moisture or other liquid contents to be free flowing but that are not suitable for disposal through a sewer system.
- 15) **“Local Waste”** means any solid waste that originates from within the municipal boundaries of the Town of Inuvik, as shown on the official boundary map available on the Town’s website or at the Town Office.

- 16) **"Night Soil"** means human excrement collected from buckets, cesspools, and outhouses.
- 17) **"Out-of-Town Waste"** means any solid waste that originates from outside the municipal boundaries of the Town of Inuvik, as shown on the official boundary map available on the Town's website or at the Town Office.
- 18) **"Owner"** "Owner" means the person named on a certificate of title registered with the Northwest Territories Land Titles Office or, if that person is deceased, their estate.
- 19) **"Peace Officer"** means any By-law Enforcement Officer of the Town of Inuvik, or any RCMP officer.
- 20) **"Person"** has the meaning given to it in the *Interpretation Act*.
- 21) **"Residential Solid Waste"** means any solid material normally generated in a residence during ordinary day-to-day living, including but not limited to garbage, paper products, rags, leaves and garden trash.
- 22) **"Responsible Person"** means:
 - i) where premises are occupied by the owner, the owner
 - ii) where premises are leased, the lessee
 - iii) in any other case, the person in charge of the property in question.
- 23) **"Salvage"** means reusable solid waste that has been deposited at designated areas of the solid waste disposal facility that are accessible to the public.
- 24) **"Senior Administrative Officer"** means the Senior Administrative Officer of the Municipal Corporation of the Town of Inuvik, or their designate.
- 25) **"Street"** means any public roadway used by waste collection vehicles to gain access to the boundary of a private property from which garbage or refuse is being collected.
- 26) **"Solid Waste"** means the useless, unwanted, or discarded solid waste materials resulting from normal human activities including semi-liquid or wet wastes with insufficient liquid content to be free flowing.
- 27) **"Solid Waste Disposal Facility"** means any area set aside by the Town for the dumping of garbage, domestic waste, refuse and any other non-hazardous waste.
- 28) **"Tipping"** means the off-loading of vehicles at the solid waste disposal facility.

- 29) **“Tipping (Dumping) Fees”** means the fees levied and collected by the Town for solid waste disposed at the solid waste disposal facility as listed in the Dumping Fees By-law.
- 30) **“Town”** means the Municipal Corporation of the Town of Inuvik.

3.0 GENERAL PROVISIONS

- 3.1 The responsible person of a residential building shall transport and deposit all garbage from that building into a blue bin commercial container unless exempted under section 4.2. If the container is full, the responsible person shall immediately notify the Director of Public Services.
- 3.2 All garbage disposed of in a blue bin commercial container must be:
- (a) contained in an appropriate disposal vessel in good repair and securely tied;
 - (b) be a maximum weight of 23 kilograms per bundle; and
 - (c) be a maximum length of 1.2 metres.
- 3.3 The owner or operator of a commercial premises shall deposit all garbage in a blue bin commercial container designated for their business.
- 3.4 No person shall leave garbage or hazardous waste of any kind accessible to wildlife.
- 3.5 Except as otherwise provided for in this by-law, the collection, removal and disposal of garbage within the Town of Inuvik shall be under the supervision of the Town or its designated agents and no person shall discard, dispose of or deposit garbage anywhere in the community except in such places and at such times and under such conditions as the Director of Public Services may authorize.
- 3.6 The disposal of garbage unacceptable for general collection shall be the sole responsibility of the person controlling such garbage. Such garbage shall not be deposited in blue bin commercial containers and shall not be included in general garbage collection undertaken by the municipality.
- 3.7 No person shall put out or permit to be put out any garbage for collection unless such garbage is contained in garbage containers or cans which are in the opinion of the Director of Public Services in good condition, except as otherwise provided in this by-law.
- 3.8 Any person using a garbage can or container shall ensure that its cover is kept firmly in place upon the container or can.

- 3.9 All wet garbage shall be wrapped securely in paper or placed in plastic bags prior to being placed in garbage containers or cans for collection.
- 3.10 The following material may be placed for collection even if not in garbage containers or cans, but only on days designated by the Town to be large item pick-up days:
- (i) Christmas trees, shrubs, bushes if tied in bundles not exceeding 4 feet in length or 12 inches in diameter;
 - (ii) Clippings or weeds if tied in boxes or bags;
 - (iii) Boxes of waste which are sturdy enough to handle. Such boxes shall not exceed a capacity of 5 cubic feet with a maximum weight of 50 pounds;
 - (iv) Mattresses;
 - (v) Household appliances;
 - (vi) Household furniture;
 - (vii) Household electronics; and
 - (viii) Other materials as approved by the Director of Public Services.
- 3.11 If any person is in breach of or violates any of the provisions of this by-law, the Town may refuse to collect any garbage, collectable refuse, or ashes at such premises and the responsible person for the premises will be directly responsible for the collection, removal and disposal thereof as well as an applicable fees.
- 3.12 No person shall dispose of hazardous waste in blue bin commercial containers or individual pickups and will only be accepted at the solid waste disposal facility and deposited in the appropriate area.

4.0 GARBAGE COLLECTION

- 4.1 Collection of garbage and collectable refuse shall occur on such days and at such times as the advertised route schedule dictates.
- 4.2 For properties where blue bin commercial containers have not been installed for garbage collection, on garbage collection days, the garbage container or can must be placed by the responsible person at the front property line near the roadway running adjacent to it or at such other place designated by the Director of Public Services to be the pickup location. The garbage containers or cans are to be placed at such pickup location by 8:00 a.m. on the mornings of the day of collection.

5.0 AUTHORITY OF SENIOR ADMINISTRATIVE OFFICER

- 5.1 The Senior Administrative Officer is authorized to make any rules or regulations they consider necessary concerning the safe use and efficient operation of the solid waste disposal facility and the general management of the solid waste in the Town that do not contradict the provisions of this by-law.
- 5.2 Without limiting the generality of the Senior Administrative Officer's powers under section 5.1, and for greater certainty, the Senior Administrative Officer is authorized to:
- a) deny use of the solid waste disposal facility and/or collection services, either temporarily or permanently, to any person who violates any of the terms of this by-law including failing to pay the required fees;
 - b) reject any solid waste for any reason;
 - c) close the solid waste disposal facility to the public to protect the public from harm; and
 - d) determine the time and frequency of solid waste collection.

6.0 GARBAGE COLLECTION CONTRACTS

- 6.1 The Town may contract with any person and may grant an exclusive or non-exclusive right to any person or persons for the collection, removal, disposal and recycling of all or a portion of its solid waste on any terms and conditions that it deems to be proper and expedient, and that person or persons shall be designated the Town's garbage collection contractor.

7.0 FEES AND EXEMPTIONS

- 7.1 Private residential users of the solid waste disposal facility will only be exempted from dumping fees for residential solid waste.
- 7.2 Council may designate times during the year where tipping fees will be waived for solid waste disposal in conjunction with community clean-up activities.
- 7.3 Tipping fees as set out in the Town of Inuvik Fees and Charges Policy will be charged at the Town's solid waste disposal facility and will be applicable to all commercial, institutional, and industrial users.
- 7.4 The tipping fees set out in the Town of Inuvik Fees and Charges Policy may be waived at the discretion of Council through the passing of a resolution to that effect.

8.0 PROHIBITIONS

- 8.1 No person shall place, mix, or permit to be placed or mixed with any material for removal as garbage, collectable refuse or ashes, or other highly combustible material.
- 8.2 No person shall dispose of or permit to be disposed of any garbage, collectable refuse, ashes, or other waste material at any place within the Town other than the solid waste disposal facility or other place as designated by the Council through the Director of Public Services or their agent from time to time, and other than during such times as the Council directs.
- 8.3 At no time shall the Town accept any hazardous or contaminated industrial waste from outside of the municipal boundaries.
- 8.4 Inert waste generated within the Town of Inuvik will be accepted as per Territorial Government regulations.
- 8.5 No person shall burn garbage.

9.0 RIGHT OF ENTRY

- 9.1 All authorized collectors of garbage, collectable refuse and ashes may enter yards and premises of any person at all reasonable times for the purpose of carrying out their duties.

10.0 UNCOLLECTABLE MATERIALS

- 10.1 For all items uncollectable under this by-law, it is the responsibility of the owner to dispose of such items at the solid waste disposal facility according to the facility's operating rules and solid waste facility manual.

11.0 OFFENCES

- 11.1 Every person who contravenes any provision of this by-law is guilty of an offence and is liable upon Summary Conviction (if a fine is not otherwise specified in Schedule A attached to and forming part of this by-law) to:

(a) for the first and each subsequent offence:

- i) for a person, to a fine not exceeding two thousand dollars (\$2,000.00), or to imprisonment for a term not exceeding six (6) months, or to both;

- ii) for a corporation, to a fine not exceeding ten thousand dollars (\$10,000.00), or to imprisonment for a term not exceeding six (6) months, or to both.

11.2 A Peace Officer may issue a Summary Offence Ticket in the form prescribed by the *Summary Convictions Procedures Act* to any person who contravenes any provision of this by-law, and such person may, in lieu of prosecution, pay the Town of Inuvik the specified penalty for the offence as listed in Schedule A attached to and forming part of this by-law, prior to the court date specified on the ticket.

12.0 SEVERABILITY

12.1 If any provision or part of a provision of this by-law is declared by a court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the by-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

13.0 REPEALS

13.1 By-laws 92-1215, 92-1224, 93-1281 and 2645/H&S/20 as amended and any other garbage collection or tipping fee by-laws in effect are hereby repealed.

14.0 EFFECT

14.1 This by-law shall come into effect upon the day of its final passage.

This consolidation is prepared for convenience only. The official record of this by-law is the original signed and sealed version, together with any amendments duly passed by Council. In the event of a discrepancy, the official record shall prevail.