

BY-LAW #20/09

OF THE

RURAL MUNICIPALITY OF ROCKWOOD

Being a By-Law of the Rural Municipality of Rockwood to regulate activities at the Komarno Waste Disposal Grounds.

WHEREAS Sections 232(1) (b) of The Municipal Act, S.M. 1996, C. M225, provides, in part:

“232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- b) people, activities and things in, on or near a public place or a place open to the public, ...”;

AND WHEREAS Sections 232(2)(a) and (d) of The Municipal Act, S.M. 1996, C. M225, provides, in part:

“232(2) Without limiting the generality of subsection (1), a council may in a by-law passed under this Division

- a) regulate or prohibit; ... and
- d) establish fees or other charges for services, activities or things provided or done by the municipality or for the use of property under the ownership, direction, management or control of the Municipality”;

AND WHEREAS it is deemed expedient and in the best interest of the Rural Municipality of Rockwood to pass a By-Law to regulate activities at the Komarno Waste Disposal Grounds and to plan, organize, control and supervise the transportation, treatment, handling, disposal, prevention, reduction, reuse or recycling of waste and the recovery of materials, substances or energy from waste through the operation of the Komarno Waste Disposal Grounds;

NOW THEREFORE the Council of the Rural Municipality of Rockwood, in Council duly assembled, enacts as follows:

1. **DEFINITIONS:**

Where used herein, the following words shall have the following meaning:

- a) “**Komarno Waste Disposal Grounds**” shall mean the Komarno Waste Disposal Grounds located at Pt. NE 27-17-2E, 9083 E, Road 101N, located in the Rural Municipality of Rockwood.
- b) “**Non-resident**” shall mean any individual who does not reside in nor owns real property either in the Rural Municipality of Rockwood
- c) “**Person**” shall mean any individual, whether a non-resident or a resident of the Rural Municipality of Rockwood and includes a corporation, firm, partnership, institution and association.
- d) “**Resident**” shall mean any individual who resides in or is the registered owner of real property either in the Rural Municipality of Rockwood.

2. **SUPPLEMENTARY MUNICIPAL FUNDING:**

The cost of operating the Komarno Waste Disposal Grounds shall be supplemented by the fees and levies collected for the disposal of wastes from all users, including the Rural Municipality of Rockwood. If, in a fiscal year, the amount of the fees and levies collected is insufficient to cover the operating costs of the Komarno Waste Disposal Grounds, the deficits shall be recovered equally by the Rural Municipality of Rockwood.

3. **CLASSES OF WASTE:**

The following shall define, for the purposes of this By-Law, the classes of waste that may or may not be disposed of at the Komarno Waste Disposal Grounds:

- a) **“Agricultural Waste”** shall mean excess materials derived from agricultural activities and, without limiting the generality of the foregoing, shall include, but is not limited to, crop residues, herbicides, pesticides, fertilizers, and like materials from all agricultural pursuits.
- b) **“Animal Waste”** shall mean manure, excrement, animal carcasses, or any parts or mixtures thereof.
- c) **“Ashes”** shall mean the cold residue resulting from the burning of a substance.
- d) **“Combustible Waste”** shall mean, but is not limited to, tree boughs, stumps and branches, paper and cardboard products, wood and lumber and packaging materials derived from paper, cardboard and wood.
- e) **“Construction/Demolition Waste”** shall mean a mixture of waste building materials and rubble resulting from construction, remodelling, renovations, repairs, demolition or fire in buildings and other structures and includes, but is not limited to, lumber, plaster, concrete, drywall, glass, shingles, siding, electrical, and plumbing fixtures and piping or any combination thereof. Construction/Demolition Waste may be reclassified as Ashes, Combustible, Excavation, Metallic or Recyclable wastes provided said Construction/Demolition Waste is separated as per the Classifications defined in this Section.
- f) **“Excavation Waste – Clean Fill”** shall mean natural soil, earth, sand, gravel, or any parts or mixtures thereof.
- g) **“Excavation Waste – Rubble”** shall mean asphalt, concrete, stone and non-burnable building materials, or any parts or mixtures thereof.
- h) **“Hazardous Waste”** shall mean a substance that is designated a hazardous waste by regulation under The Dangerous Goods Handling and Transportation Act.
- i) **“Industrial Waste”** shall mean solid and liquid waste materials resulting from, or incidental to, the manufacture, processing, or like operation of factories, processing plants, industrial processes and manufacturing operations and includes waste such as putrescible waste from food processing plants and rendering plants and condemned foods and products.
- j) **“Landfill Waste”** shall mean all discarded waste but does not include Agricultural Waste, Animal Waste, Ashes, Combustible Waste, Hazardous Waste, Industrial Waste, Liquid Waste, Metallic Waste, Recyclable Waste, and Yard Waste.
- k) **“Liquid Waste”** shall mean sewage, sewage effluent, and sludge from septic tanks, holding tanks, and municipal sewage treatment systems.

- l) “**Metallic Waste**” shall mean, but is not limited to, derelict vehicles, farm machinery, appliances, and any other items, goods or things that are comprised entirely or mostly of some type of a metal substance or substances.
- m) “**Ozone Depleting Substance**” shall mean substances as regulated under The Ozone Depletion Substances Act.
- n) “**Recyclable Waste**” shall mean those wastes as listed in Schedule “B” to this By-Law, as may be amended by the Board from time to time.
- o) “**Waste Oil**” shall mean oil, oil filters and oil containers.
- p) “**Waste Tire**” shall mean tires discarded for reasons of wear or damage.
- q) “**Yard Waste**” shall mean leaves, grass clippings, garden and flower bed vegetation and straw.

4. **REGULATIONS:**

All persons disposing of waste at the Komarno Waste Disposal Grounds shall do so in accordance with this By-Law and regulations contained herein or as established by Council from time to time.

- a) No person, other than the Caretaker as authorized, shall set or ignite any fire in the Komarno Waste Disposal Grounds.
- b) No person shall dispose of the following Classes of Waste at the Komarno Waste Disposal Grounds:
 - i) Agricultural Waste
 - ii) Animal Waste
 - iii) Industrial Waste
 - iv) Hazardous Waste
 - v) Liquid Waste
 - vi) Waste Oil
 - vii) An Ozone Depleting Substance which has not been rendered safe as per the Ozone Depletion Substances Act
- c) The following Classes of Waste may be disposed of at the Komarno Waste Disposal Grounds:
 - i) Ashes, provided said ashes are cold
 - ii) Combustible Waste
 - iii) Construction/Demolition Waste
 - iv) Excavation Waste – Clean Fill
 - v) Excavation Waste – Rubble
 - vi) Landfill Waste
 - vii) Metallic Waste
 - viii) Ozone Depleting Substance, provided the substance has been rendered safe as per The Ozone Depletion Substances Act
 - ix) Recyclable Waste
 - x) Waste Tires
 - xi) Yard Waste
- d) All persons who attend the Komarno Waste Disposal Grounds to dispose of waste shall separate their waste as per the Classes of Waste permitted for disposal at the Komarno Waste Disposal Grounds.

- e) All persons who attend the Komarno Waste Disposal Grounds shall report to the Caretaker's Office and shall pay the applicable fee(s).
- f) All persons who attend the Komarno Waste Disposal Grounds shall dispose of allowable waste in such designated area or bins, as the case may be, and in such a manner as directed by the Komarno Waste Disposal Grounds Personnel.
- g) No person shall at any time deposit or dump any waste outside of the fence of the Komarno Waste Disposal Grounds but shall only dispose of waste in those areas or bins, as the case may be, as designated by the Komarno Waste Disposal Grounds Personnel.
- h) It is unlawful for any person, other than the Caretaker as authorized, to salvage, pick over, scatter, search, or burn any waste in the Komarno Waste Disposal Grounds unless said person has received prior written authorization from the Komarno Waste Disposal Committee.
- i) No person shall loiter in the said Komarno Waste Disposal Grounds, but rather they shall simply attend the Komarno Waste Disposal Grounds for the purpose of disposing of allowable waste and thereafter they shall immediately leave the Komarno Waste Disposal Grounds.

5. **FEES:**

All persons who attend the Komarno Waste Disposal Grounds shall pay, at the time of attendance, the applicable fee for the disposal of the allowable waste as per the Class of Waste and the Fees as set out in Schedule "A" attached hereto and forming a part of this By-Law and as amended from time to time. All persons who pay the applicable fee shall receive a receipt from the Caretaker as set out in Schedule "C".

6. **PENALTIES:**

- a) Any person who contravenes or refuses, neglects, omits, or fails to obey or observe any provision of this By-Law is guilty of an offence and liable, upon summary conviction, in addition to costs, to a fine not exceeding FIVE HUNDRED DOLLARS (\$500.00) or to imprisonment for a term not exceeding one (1) month, or both such fine and imprisonment.
- b) Where the contravention, refusal, neglect, omission, or failure, including failure to comply with a notice, order or direction give by the Board, continues for more than one occurrence, the person is guilty of a separate offence for each occurrence.

7. **SEVERABILITY:**

If any provision of this By-Law is held to be invalid by any Court of competent jurisdiction, the remaining provisions of this By-Law shall not be invalidated.

8. **EFFECT:**

This By-Law, #20/09, shall come into full force and take effect October 1, A.D., 2009.

9. That By-Law #21/08 is hereby repealed.

DONE AND PASSED in Council assembled in the Council Chambers of the Rural Municipality of Rockwood, at Stonewall, in the Province of Manitoba, this 9th day of September, A.D., 2009.

THE RURAL MUNICIPALITY OF ROCKWOOD

GARNET THIEVIN, REEVE

JACK DOUGLAS, CAO

GIVEN First Reading this 12th day of August, A.D., 2009.

GIVEN Second Reading this 9th day of September, A.D., 2009.

GIVEN Third Reading this 9th day of September, A.D., 2009.

SCHEDULE "A"

TO BY-LAW #20/09

(Effective October 1, 2009)

SECTION I: WASTE DISPOSAL FEES BY WASTE CLASS

<u>LANDFILL WASTE</u>	<u>UNIT (OR PART THEREOF)</u>	<u>UNIT FEE</u>
Resident	Standard size garbage bag	\$ 1.50 per bag
Non-resident	Standard size garbage bag	\$ 3.00 per bag
Resident	½ ton truck / utility trailer	\$ 15.00 per load
Non-resident	½ ton truck / utility trailer	\$ 30.00 per load
Resident	Single axle (one ton & up)	\$ 67.50 per load
Non-resident	Single axle (one ton & up)	\$135.00 per load
Resident	Tandem	\$112.00 per load
Non- Resident	Tandem	\$225.00 per load
Resident	Semi-trailer	\$202.50 per load
Non-resident	Semi-trailer	\$405.00 per load

BURNABLE/COMPOSTABLE WASTE:

Resident	Standard size garbage bag	No charge
Non-resident	Standard size garbage bag	\$ 3.00 per bag
Resident	½ ton truck / utility trailer	No charge
Non-resident	½ ton truck / utility trailer	\$ 15.00 per load

EXCAVATION WASTE – CLEAN FILL:

Resident	Any amount	No charge
Non-resident	Any amount	No charge

WASTE TIRE:

Resident	Tires	No charge
Non-resident	Tires	No charge

BURNING BARRELS:

Resident	Barrel	\$ 7.50 per barrel
Non-resident	Barrel	\$ 15.00 per barrel

CURBSIDE GARBAGE COLLECTED BY CONTRACTOR:

Town of Teulon	Garbage Truck of Contractor	\$ 49.50 per load
R.M. of Rockwood	Garbage Truck of Contractor	\$ 49.50 per load

GARBAGE TRANSFERRED FROM BALMORAL TRANSFER STATION:

R.M. of Rockwood	Tractor/Gravel Trailer	\$202.50 per load
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- **THERE SHALL BE NO CHARGE FOR BLUE BAG RECYCLABLE WASTE.**

- **THERE WILL BE A 50% SURCHARGE ON ALL NON-SORTED WASTE.**

SCHEDULE "A"

TO

BY-LAW #20/09

SECTION II: ADDITIONAL FEES

Any person who contravenes or disobeys, or refuses or neglects to obey Section 4. d), e), f), or g) of the Regulations provision of By-Law #20/09 may be liable to a fee of \$100.00 for each contravention, refusal, neglect, omission, or failure, and such fee is in addition to the fee as setforth in Section I of Schedule "A" above.

SCHEDULE “B”

TO

BY-LAW #20/09

RECYCLABLE WASTE:

The following items are classified as recyclable waste:

Tin Cans

Glass Bottles and Jars

All Aluminum Cans

All types of soft drink containers (aluminum, glass, and plastic)

All liquor, wine, and beer bottles and cans

Newspapers (including glossy flyers)

All Plastic Containers with a symbol on the bottom

All recyclable waste **must** be clean and dry

SCHEDULE "C" TO BY-LAW #20/09

OF THE

THE RURAL MUNICIPALITY OF ROCKWOOD

THE KOMARNO WASTE DISPOSAL GROUNDS

RECEIPT

RECEIPT NO. _____ DATE: _____,

RECEIVED FROM: _____

TELEPHONE NO. _____ VEHICLE LICENCE NO. _____

RECEIVED THAT SUM OF _____ /xx DOLLARS

SORTED GARBAGE _____ NON-SORTED GARBAGE _____

FOR THE FOLLOWING UNIT(S) OR PART THEREOF:

_____ STANDARD SIZE GARBAGE BAG(S) @ \$ _____ EACH \$ _____

_____ 1/2 TON TRUCK / UTILITY TRAILER @ \$ _____ \$ _____

_____ SINGLE AXLE @ \$ _____ \$ _____

_____ TANDEM @ \$ _____ \$ _____

_____ SEMI-TRAILER @ \$ _____ \$ _____

_____ OTHER @ \$ _____ \$ _____

TOTAL: \$ _____

CASHIER: _____

ROCKWOOD ADMINISTRATION OFFICE: 467-2272 (STONEWALL)