

RURAL MUNICIPALITY OF DUFFERIN

By-Law No. 1788

**A by-law of the Rural Municipality of Dufferin
to provide for the disposal of solid waste within the municipality.**

WHEREAS *The Environment Act (C.C.S.M. c. E125) Regulation 150/92, Section 2*, requires each municipality to make provision for the disposal of all garbage and waste created within its jurisdiction;

AND WHEREAS *the Municipal Act, Section 232*, authorizes a council to pass by-laws for municipal purposes and to establish fees for such municipal purposes;

AND WHEREAS the Council of the Rural Municipality of Dufferin has deemed it in the best interests of the residents of the municipality to purchase this service from the adjacent municipality, the Town of Carman;

AND WHEREAS the Council of the Rural Municipality of Dufferin has entered into an agreement with the Town of Carman to utilize their Transfer Station for their Solid Waste Management Program and Recycling Program;

NOW THEREFORE the Council of the Rural Municipality of Dufferin, in open session assembled, enacts as follows:

1. *Title*

This By-law shall be cited as the Solid Waste Management Program.

2. *Definitions*

In this By-law where used herein:

“Animal and Agricultural Waste” means crop residues and like materials from agricultural pursuits, and manure from stables, kennels, and veterinary establishments and like premises and carcasses.

“Ashes” means the residue from the burning of wood, coal, coke and like materials, for the purpose of cooking, heating and disposing of combustible materials.

“Building” means any well, pipe line, excavation, cut fill, transmission line or other erection or structure, or any part thereof, and also includes any addition to or extension of a building and any chattel that is attached to any structure or land that is installed therein or thereon.

“Bulky Wastes” means large items of refuse exceeding 34 kilograms (75 pounds) in weight or exceeding 1.5 metres (5 feet) in any direction, including large appliances and furniture, hot water tanks, mattresses and carpets, but excluding auto parts, regardless of size or weight.

“Construction and Demolition Wastes” means the waste “Building” materials and rubble resulting from construction, remodeling, repairs, demolition or destruction by fire or buildings and other structures and the installation, repair or removal of pavement and like works.

“Designated Officer” means the Chief Administrative Officer or such other person as may be authorized by the Council of the Rural Municipality of Dufferin to exercise some or all of the powers vested in that person by this By-law.

“Hazardous Wastes” means any waste that may present a hazard to a person in contact with such wastes and includes, but is not limited to, wastes such as propane cylinders, petroleum distillates, light fluids, household waste paints, caustics, drugs, acute hazardous waste chemicals, waste crankcase oils and lubricants, inorganic chemicals, halogenated pesticides and herbicides, non-halogenated organic pesticides and any other wastes of pathological, explosive, highly flammable, radioactive, toxic or acidic in nature.

“Household Wastes” means all animal and vegetable waste, whether liquid or solid, including food packaging, matter with residual food materials resulting from the handling, preparation cooking and serving of foods in households, unusable clothing, sweepings and all waste materials capable of being consumed by fire, wood excelsior, bedding, rubber, leather, plastic, metals, ceramics, glass and yard wastes.

“Municipality” means the Rural Municipality of Dufferin.

“Recyclable” means any item of household waste that is eligible for funding under the Manitoba Product Stewardship Program and deemed by the Town to be separate from the waste stream.

“Resident” means a person whose ordinary place of residence is within the municipality.

“Tipping Fee” means the charge for disposal based upon the amount of refuse to be disposed of.

“Town” means the Town of Carman.

“Transfer Station” means the Town of Carman Transfer Station located on the NW corner of Section 13-6-5 WPM in the Rural Municipality of Dufferin.

“Waste Disposal Placard” means a card displaying the “Residents” license plate number and legal description of his residence and which will permit them to reduced tipping fees.

“Waste Collection Tag” means a properly authorized marker, obtained by the Town of Carman or its agent, with adhesive backing.

“Yard Waste” means wastes that consist of leaves, grass and garden wastes, excluding any tree trimmings.

3. Administration

- i) The Designated Officer of the Rural Municipality of Dufferin, or any other person appointed to do so by the Council of the municipality, shall administer this By-law.

4. Conveyance of Wastes

- i) Any load of solid waste that is conveyed in a vehicle, trailer or other conveyance shall be covered, or loaded or secured in such a manner that no portion of it can escape. No person shall convey or cause to be conveyed any waste that is not covered or otherwise loaded or secured.
- ii) No person shall drive or move any vehicle within the Town or Municipality unless such vehicle is so constructed, loaded or covered to prevent any load, contents or litter from being blown or deposited upon any public place, public area or private property.
- iii) A surcharge in accordance with Schedule "A", in addition to any other disposal charge, shall be added to the disposal charge for any load delivered to the Transfer Station, not eligible for free disposal, where such load is delivered on a vehicle, trailer or other conveyance that is not covered or otherwise loaded or secured so as to prevent any contents thereof from escaping.

5. Disposal of Wastes and Charges for Disposal of Wastes

- i) No person shall deposit any solid wastes at the Carman Transfer Station without paying disposal charges as outlined in Schedule "A".
- ii) The Council of the Town of Carman shall set the charges for disposal of solid wastes; and the charges for the residents of the Town and Municipality shall be equal.

6. Transfer Site

- i) All residents of the Town and Municipality are permitted to deposit refuse at the designated areas in the Carman Transfer Station. Such deposits may be made during hours that the Transfer Station is open, and are subject to the Town's fee schedule as outlined in Schedule "A" of this by-law.
- ii) All residents of the Town and Municipality must register at the Town of Carman office, giving their address or residency and vehicle plate number to receive a placard that entitles them to the Resident Rates, as outlined in Schedule "A" attached to this by-law.

- iii) The materials deposited shall not contravene the other provisions of this by-law or the terms of reference in the license issued to the Town under *The Environment Act* or regulations as amended.
- iv) No person shall make any deliveries or deposits of any sort at the Transfer Station at any time other than posted hours, except with the permission of the Town of Carman or their Designated Officer.
- v) Every person delivering refuse to the Transfer Station shall follow routes to and from dumping sites within the Transfer Station and deposit the refuse in such place and in such manner as instructed by the attendant in charge or as directed by signage and not otherwise.
- vi) Notwithstanding subsection 1), Council or the Designated Officer of the Town of Carman reserves the right to waive residential tipping fees for special promotional purposes.
- vii) Notwithstanding subsection 1), the attendant has the right to reduce the tipping fee charges to adjust for partial loads being disposed of.
- viii) Any person utilizing the Transfer Station shall obey the posted speed limits while operating a motor vehicle within the Transfer Station.
- ix) Refuse shall be expeditiously off-loaded from the vehicle and any passengers therein shall exit the vehicle only to assist in off-loading refuse. Upon completion of off-loading, the vehicle and all its passengers shall immediately leave the Transfer Station.
- x) Contractors or businesses can register at the Town of Carman office to establish a charge account for recording and payment of any fees payable from disposing of fees at the Transfer Station.

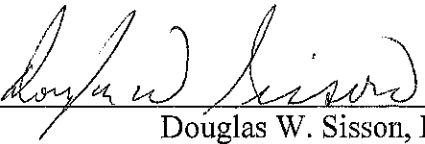
7. Penalties

In accordance with Section 249(1) and (2) of the Act

- i) Any person who violates, contravenes, or refuses, neglects, omits or fails to obey or observe any provision of this By-law is guilty of an offence and liable, on summary conviction to a fine not exceeding \$500.00 and costs or to imprisonment for a term not exceeding one (1) month, or to both such fine and imprisonment.
- ii) Where the contravention, refusal, neglect, omission or failure, including failure, including failure to comply with a notice, order or direction given him by the Council or Designated Officer, continues for more than one day, the person is guilty of a separate offense for each day that it continues.

This by-law shall come into force on the day it receives third reading.

DONE AND PASSED by the Council of the Rural Municipality of Dufferin, in open session, assembled this 11th day of October, 2005.



Douglas W. Sisson, Reeve



Ruth Stege, Chief Administrative Officer

Read a first time this 13th day of September, 2005.

Read a second time this 27th day of September, 2005.

Read a third time this 11th day of October, 2005.

SCHEDULE "A"

R.M. of Dufferin By-Law No. 1788 (Solid Waste Management Program)

**CARMAN TRANSFER STATION
TIPPING FEES
EFFECTIVE JUNE 1, 2005**

	Resident Rate	Non-Resident Rate
Garbage bags (regular sized bags)	\$2.00	\$6.00
Oversized Garbage bags	\$3.00	\$9.00
½-ton truck load	\$20.00	\$60.00
¾-ton truck load	\$30.00	\$90.00
1-ton truck load	\$60.00	\$180.00
3-ton truck load	\$150.00	\$450.00
Tandem truck (up to 5-ton)	\$200.00	\$600.00
Tandem trailer (up to 10-ton)	\$260.00	\$780.00
Utility trailer (small)	\$20.00	\$60.00
Utility trailer (large w/hoist)	\$60.00	\$180.00
Tires – Passenger	\$4.00 each	\$12.00 each
Tires – Truck (18 to 25 inches)	\$10.00 each	\$30.00 each
Tires – Rear Tractor Tire	\$45.00 each	\$135.00 each
Tires – Front Tractor Tire	\$15.00 each	\$45.00 each
Rimmed tires are double all above fees.		
Fridges & Freezers (prior to capturing of refrigerant)	\$30.00	\$90.00
Fridges & Freezers (if certified to have refrigerant recaptured)	\$10.00	\$30.00
Washers & Dryers & Furnaces & TV (appliances)	\$10.00	\$30.00
Small Chairs	\$5.00	\$15.00
Chairs/Mattresses	\$10.00	\$30.00
Sofas	\$15.00	\$45.00
Propane Tanks	\$5.00	\$15.00
Sinks, Bathtubs	\$5.00	\$15.00
Stumps	\$10.00 to \$50.00	\$30.00 to \$150.00
Hot Water Heaters	\$10.00	\$30.00
Burning Barrels – not allowed, however ashes allowed if in cardboard box	\$3.00	\$9.00
Asbestos will not be accepted		
All Compost material		
Lumber, Trees, Wood	FREE	\$5.00
All Recycling materials	FREE	\$5.00
Plastic, cardboard, tin, aluminum, paper, metal (with the exception of bulk metal items mentioned above.), batteries		
All concrete will be accepted only at the old lagoon property east of Shop	FREE	FREE
Surcharge to be added for any load that is not covered or otherwise loaded or secured in accordance with this by-law	\$50.00	\$150.00

*All prices subject to change without notification.