

## Hamlet of Tulita By-Law 220-15

**By- Law Name:** Garbage Disposal

**By-Law Number:** 220-15

### Description

A By-law of the Municipal Corporation of the Hamlet of Tulita in the N.W.T. to manage the collection and disposal of garbage and waste pursuant to the provisions of the Hamlets Act, R.S.N.W.T., 1988, c. 11-L, ss. 85. 86. 87 and 88.

### By-Law

Whereas the Hamlet of Tulita deems it necessary to manage and control the collection and disposal of garbage and waste,

Now, therefore, the Council of the Hamlet of Tulita, at a duly constituted meeting, enacts as follows:

#### 1. Short Title

This by-law may be referred to as the “Garbage By-Law”

#### 2. Interpretation

- a) “Business Waste means garbage, rubbish, and trade waste generated from industrial, commercial, and institutional properties but shall exclude resource materials and non-collectible waste.
- b) “Collection” means the act of collecting packaged garbage from containers approved by the Hamlet.
- c) “Commercial” for the purposes of Other Waste Disposal Fees on Schedule A means company, organization, institution or government. Private citizens of Tulita are not included in this category.
- d) “Commercial Users” for monthly billing purposes, means public housing, government staff housing, business, commercial, industrial and government.
- e) “Dangerous Material” means any material which is flammable or toxic or contains contaminants likely to be detrimental to the environment or to people, including propane cylinders, paints, solvents, oil, gas, batteries, acids, etc.
- f) “Fee” means a monthly charge against each location occupied by each residential or commercial customer, or a specific fee applied against a specific collection or disposal.
- g) “Garbage” means refuse from kitchens and other parts of a dwelling unit, commercial store or office, or industrial or other office distribution site.
- h) “Hamlet” means the Hamlet of Tulita.
- i) “Household” means a livable dwelling whether categorized as residential or commercial for billing purposes.

- j) "Landfill/Landfill Site" same as Municipal Waste Site, means any site for the disposal of any materials, which is operate or controlled by the Hamlet.
- k) "Metal Material, Furniture and Appliances" means any metal, machinery passenger vehicle, furniture or appliances from residential, commercial, industrial or other areas which no longer have value to an owner.
- l) "Paper" means any paper or paper by-product such as newsprint, fine paper, cardboard, etc.
- m) "Passenger Vehicles" means in cars, trucks, snowmobiles, altering vehicles and utility vehicles.
- n) "Resident" means a person, company or other organization who occupies a dwelling unit or building or construction site or other location where garbage and waste is produced and from it is to be collected.
- o) "Residential" for the purposes of Other Waste Disposal Fees on Schedule A includes private citizen of Tulita. It does not include companies, organizations, institutions or governments.
- p) "Residential User" for monthly billing purposes, means private homes and company staff housing units. It does not include public housing, government staff housing, business, commercial, industrial or government users.
- q) "Residential Waste" means household garbage and rubbish generated from residential curbside premises and multi-family premises.
- r) "Special Collection" means a collection of specific garbage or waste for which a specific fee has been paid.
- s) "Tipping" means the depositing of garbage and waste at a landfill or other designated site.

### 3. Collection of Garbage & Waste

- 3.1 Residents shall place wrapped garbage in approved containers provided by the Hamlet on a one time basis. In the event of loss or damage, these approved containers shall be replaced by the residents at their expense. These containers shall be containers as the Hamlet may deem suitable from time to time.

#### OPTIONS (all bins must be Hamlet approved)

- 1. Hamlet supplies garbage bins at Hamlet cost first time and resident cost thereafter. Plastic bins are traceable by electronic code and inventory system. Recommended if bins paid by CGS.
  - 2. Hamlet buys bins and charges back to residents at cost (at 2 bins/household @ \$100/bins=\$200 estimate). We can do a payment schedule per month to pay for bins. Recommended if bins not paid by CGS.
  - 3. Hamlet allows residents to build own garbage boxes (not desirable).
- 3.2 Residents must package garbage in regular plastic garbage bags no larger than 76cm x 97cm (30" x 38") and place the garbage bags in the approved garbage container for regular waste. Bags must be in a colour other than blue.
- 3.3 Garbage collection will have a four bag limit per household per collection for regular waste. Bag tags can be purchased at the Hamlet office, as per pricing on Schedule A for households having more bags than the limit.
- 3.4 Garbage collectors may refuse to accept any piece or bag of garbage that weighs in excess of 25 kilograms or measures more than one metre on any side.

- 3.5 Garbage collectors may refuse to accept any garbage, which is not placed within the approved container.
- 3.6 It is the responsibility of the resident to maintain the garbage container and to keep the surrounding area clean and free from litter and other matter.
- 3.7 Where garbage collectors refuse to accept garbage under the terms of sections 3.4 or 3.5, the resident may remove the garbage to the landfill site and place it in the area prescribed by this by-law, as per fees prescribed in Schedule A.
- 3.8 Notwithstanding sections 3.4 and 3.5, a resident may arrange for collection of large amounts of garbage or waste or large pieces of material by paying a fee listed in Schedule A attached.
- 3.9 Garbage within the urban area of the Hamlet will be collected at least once a week.
- 3.10 Garbage and waste in the hinterland will be the responsibility of the residents to remove to the landfill area prescribed by this by-law.
- 3.11 Residents are responsible for garbage or waste on the property they occupy.
- 3.12 Dead animals shall not be left in or near garbage container and will not be collected by the garbage collector.
- 3.13 Residents will normally be limited to one garbage collection a week, or may pay a fee, as per schedule A, to arrange for a collection of small or large amounts of garbage or waste.

#### **4. Metal Materials, Furniture, Appliances, Etc.**

- 4.1 Furniture, appliances and metal materials will not be collected during regular collection of garbage.
- 4.2 Residents and companies who want to dispose of furniture, appliances and metal materials may deliver this material to the metal landfill site and deposit it in a designated area for a fee, as prescribed in Schedule A.
- 4.3 Residents and companies may arrange for furniture, appliances and metal materials to be collected and disposed of at the metal landfill site for a fee, as per Schedule A.
- 4.4 Materials disposed of at the metal landfill site must be placed in the appropriate location according to signage at the landfill. Appliances must have doors removed before they are accepted.
- 4.5 Passenger vehicles may be disposed of at the designated area of the landfill site for a fee, as per Schedule A. Heavy equipment vehicles, including but not limited to, dozers, loaders, backhoes, dump trucks, etc., will not be accepted. Owners must arrange for alternate proper disposal of heavy equipment vehicles. Violators

will be subject to fines, as per Schedule B, plus the cost of removal and/or proper disposal.

- 4.6 Residents and companies depositing materials outside the gate or on the road approaching the landfill or at any other place in the community will be subject to a fine plus the costs of proper disposal of the materials, as per Schedule B.
- 4.7 Propane Bottles of all size will be deposited in the secure area designated by the Hamlet. Valves must be removed before propane bottles are accepted.

## **5. Wood**

- 5.1 Wood and wood products, with the exception of paper and cardboard, will not normally be collected during the regular garbage collection.
- 5.2 Residents or companies with large amounts of wood refuse may dispose of the wood at the designated area of the landfill for a fee, as per Schedule A, or may arrange with the Hamlet to have it collected for a fee, as per Schedule A.
- 5.3 Wood shall not be deposited in any area except the designated area within the landfill.

## **6. Paper, Cardboard**

- 6.1 Large amounts of paper and cardboard must be separated from other garbage and waste.
- 6.2 Small amounts of paper and cardboard will be collected with regular garbage collection. The paper and cardboard must be placed in bags, as per section 3.2, or packaged in bundles no larger than 60cm x 60cm x 30cm (2' x 2' x 1'). Bags and bundles will count towards the bag limit, as per section 3.3.
- 6.3 Residents and companies may pay a fee, as per Schedule A, to arrange collection of large amounts of paper or cardboard, or may dispose of such material at the designated area in the landfill for a fee, as per Schedule A.

## **7. Incineration/Recycling**

- 7.1 No person, other than an employee of the Hamlet on official Hamlet business, may incinerate material or otherwise start a fire at the landfill or at any other location within the community without the written consent of the Fire Chief.
- 7.2 The Hamlet may begin a program of incinerating garbage and other waste in a suitable combustion chamber, and may require residents to separate garbage into that which can be incinerated and that which cannot be incinerated.
- 7.3 No person, other than a Hamlet employee on official Hamlet business or a person contracted by the Hamlet on official Hamlet business, may use, recover, recycle otherwise use any material from a landfill site, except as specifically allowed within this by-law, without written permission from the Hamlet.

- 7.4 The Hamlet may recover materials disposed of in a landfill and offer such materials for sale.
- 7.5 The Hamlet may enter into an agreement with an individual or corporation to allow for the recovery and sale of materials deposited in a landfill site.
- 7.6 The Hamlet may, by resolution, require all residents to sort garbage into the following categories for the purpose of developing recycling, incinerating, or other programs for treatment of garbage and waste:
- Kitchen waste
  - Paper, paper products, ceramics, etc.
  - Metals, plastics, ceramics, etc.
  - Wood and wood products
  - Animal remains and by-products
  - Pop and beer cans
  - Other categories

## **8. Dead Animals, Animal Waste & By-Products**

- 8.1 No dead animal, animal waste or animal by-product will be collected as part of the regular garbage collection.
- 8.2 Residents may dispose of dead domestic animals by placing the remains in a designated area at the landfill for a fee, as per Schedule A, or by paying a fee to arrange for the collection and disposal of the animal, as per Schedule A.
- 8.3 Residents with animal waste such as bones, antlers, horns, skins, etc. shall wrap the material with ropes or similar enclosure before it can be collected.
- 8.4 Where significant quantities of big game meat are left as waste, the Collector shall report the incident to an appropriate Wildlife Officer, and shall not accept the meat as garbage or waste.
- 8.5 Small amounts of animal feces will be collected during regular collection provided they are wrapped in a tight bag or similar enclosure. These items will count towards the bag limit, as per section 3.3.

## **9. Dangerous Materials**

- 9.1 Dangerous materials shall not be included in regular garbage collection.
- 9.2 Individuals with dangerous materials for disposal shall clearly mark the material and request a special collection, or shall deposit the material in the designated area of the landfill site.
- 9.3 Corporations with dangerous materials shall deposit them in the designated area of the landfill site for a fee. No hazardous waste from commercial and industrial activity will be allowed.

- 9.4 No person, other than a Hamlet employee on official Hamlet business, shall disturb materials in the designated dangerous materials area, or recycle or otherwise use or dispose of, without written permission from the Hamlet.
- 9.5 Contaminated soil shall be placed in a designated area in the landfill site.
- 9.6 The Hamlet reserves the right to refuse collection or acceptance of dangerous materials. In such cases, the owner of the dangerous materials will be fully responsible for proper disposal at a facility that processes dangerous materials.

**10. Demolished or Derelict Buildings**

- 10.1 Demolished or derelict buildings will not be accepted at the landfill site. Owners must arrange for alternate proper disposal of demolished and derelict buildings. Violators will be subject to fines, as per Schedule B, plus the cost of removal and/or proper disposal.

**11. Waste and Garbage Not Originating in Tulita**

- 11.1 Regular and garbage waste not originating in Tulita may be collected or disposed of under certain circumstances.
- 11.2 Cruise ships, Coast Guard ships, military ships, freighters, barges, and sailboats may arrange for special collection and pay a fee, as per Schedule A.
- 11.3 Under no circumstances will garbage and waste be accepted from outside the municipality that originated from another community, mine, environmental clean-up, etc.

**12. Hours of Operation**

- 12.1 Hours of operation for the landfill site will be set by the municipality. Hours of operation are subject to change without notice.
- 12.2 Access to the landfill site is restricted to operation hours only. Any person found within the landfill site outside of posted operation hours will be subject to a fine, as per Schedule B.

**13. Tipping Charges**

- 13.1 Residents or companies with large amounts of garbage or other waste shall pay a tipping fee for depositing the material at either of the landfill sites, according to the fees shown in Schedule A.
- 13.2 Residents or companies tipping or otherwise depositing materials at either landfill sites or at any other location within the Hamlet in contravention of the terms of this By-law may be subject to a fine, as per Schedule B, and to loss of tipping privileges.

**14. Regular & Special Fees**

- 14.1 A resident of each household or occupied location shall pay a monthly garbage collection and disposal fee for each property or location in their use or under their control according to the rates shown on Schedule A.
- 14.2 No resident shall deposit any material at any landfill site or any other location unless that person has paid the appropriate collection or tipping fee(s).

**15. Fines & Penalties**

- 15.1 Any person guilty of an offence under this By-law is subject to a fine of not more than \$1,000 for an individual or \$5,000 for a corporation.
- 15.2 The Hamlet make take such measures as permitted by law, to collect unpaid fees and fines, and may withhold business licenses, issue stop work orders or revoke development permits, until all costs have been paid.
- 15.3 The Hamlet may require the posting of a performance bond of up to \$5,000 for each construction or development project before a development permit is issued in order to insure compliance with the terms of this By-law.

**16. Repeal**

By-law 199-10 is hereby repealed.

**17. Enactment**

This By-law takes effect after third and final reading.

**Date of First Reading:** (Day) 20 (Month) April (Year) 2016  
**Date of Second Reading:** (Day) 20 (Month) April (Year) 2016

[Signature] **Mayor**                      [Signature] **Senior Administrative Officer**

**Date of Third Reading and Passed:** (Day) 20 (Month) April (Year) 2016

[Signature] **Mayor**                      [Signature] **Senior Administrative Officer**

**Hamlet of Tulita N.W.T.**

**BY-LAW No. 220-15 – Schedule A**

**GARBAGE DISPOSAL**

**MONTHLY FEES:**

Regular garbage collection in the urban area	Residential Users (Weekly Pickup): \$34 per month
	Commercial Users (Weekly Pickup): \$200 per month
	Commercial Users (Twice Weekly Pickup): \$400 per month

**OTHER WASTE DISPOSAL FEES:**

Bag tags for household garbage over bag limit of four (residential waste only)	\$5 for one (1) tag or \$10 for three (3) tags
Dead domestic animals – requested collection	\$25 per animal
Dead domestic animals – disposal in designated area	No charge
Wildlife carcasses and waste – requested collection	\$25 per animal
Wildlife carcasses and waste – disposal in designated area	Residential: No Charge Commercial: \$10 per carcass or portion of waste
Tires – requested collection	Residential: \$10 per tire (minimum four (4) tires) Commercial: \$25 per tire (minimum four (4) tires)
Tires – Disposal in designated area	Residential: No charge Commercial: \$10 per tire
Requested collection of garbage other than regular schedule service	\$50 bagged or bundled. \$100 for loose material.
Requested collection of large amounts of business or industrial garbage or waste, not including Hazardous materials	\$250 per garbage truck load of separated waste. \$500 per garbage truck load for loose material. One load minimum charge.



Incorporated Hamlet of Tulita By-Laws

Tipping at a landfill site for regular household waste	\$5 per bag or \$50 per regular truck load of separated material – One bag or one truck load minimum charge of \$150.00.
Passenger vehicles – requested collection All fuel and fluids, including battery must be removed	Residential: \$250 Commercial: \$500
Passenger vehicles – disposal in designated area All fuel and fluids, including battery must be removed	Residential: \$50 Commercial: \$250
Large appliances – requested collection	Residential: no charge Commercial: \$100 per appliance
Large appliances – disposal in designated area	Residential: No charge Commercial: \$100 per appliance
Small appliances – disposal in designated area	Residential: No charge Commercial: \$5 per appliance
Large, bulky or heavy items such as metal materials, furniture, and appliances, etc not specified in this schedule – requested collection	Residential: \$50 per large item for furniture and appliances or \$150 per pick up truck load for metal materials – One item or truck load minimum charge Commercial: \$100 per large item for furniture and appliance or \$150 per truck load for metal materials – One item or truck load minimum charge
Large, bulky or heavy items such as metal materials, furniture, and appliances, etc not specified in this schedule – disposal in designated area	Residential: No charge Commercial: \$50 per large item for furniture and appliances or \$150 per truck load for metal materials – One item or truck load minimum charge
Cruise ships, Coast Guard ships, military ships, freighters, barges and sailboats, etc. – requested collection	\$500 per truck load

**Hamlet of Tulita N.W.T.**

**BY-LAW No. 220-15 – Schedule B**

**GARBAGE DISPOSAL**

**Fines under this By-law shall be:**

Individual:

First Offence	\$500.00 plus appropriate fee from Schedule A
Second Offence	\$750.00 plus appropriate fee plus actual costs to Hamlet of remedial action
Subsequent Offences	\$1,000.00 plus appropriate fee plus actual costs to the Hamlet of remedial action
Contained garbage	\$50.00 charge for failure to contain garbage at all times and \$50.00 charge for not putting garbage in container.
Causing damage	\$200.00 charge for causing damage to or removal of your public garbage or litter container.
Littering	\$200.00 charge for littering in general.
Construction waste	\$100.00 charge for failure to remove construction waste.
Burning Solid Waste	\$200.00 charge for burning solid waste.

Corporations:

First Offence	\$2,500.00 plus appropriate fee from Schedule A
Second Offence	\$3,750.00 plus appropriate fee, plus actual costs to the Hamlet of remedial action
Subsequent Offences	\$5,000.00 plus appropriate fee plus actual costs to the Hamlet of remedial action
Contained garbage	\$50.00 charge for failure to contain garbage at all times and \$50.00 charge for not putting garbage in container.
Causing damage	\$200.00 charge for causing damage to or removal of your public garbage or litter container.
Unsecured container	\$100.00 charge for unsecured container.
Unsecured loads	\$100.00 charge for unsecured loads.

Incorporated Hamlet of Tulita By-Laws

Littering	\$200.00 charge for littering in general.
Construction waste	\$100.00 charge for failure to remove construction waste.
Burning Solid Waste	\$200.00 charge for burning solid waste.