

**TOWN OF OYEN
PROVINCE OF
ALBERTA BY-LAW
NO. 934-25**

**A BY-LAW OF THE TOWN OF OYEN TO PROVIDE FOR THE
COLLECTION AND DISPOSAL OF GARBAGE, REFUSE AND WASTE
PRODUCTS WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF
OYEN AND SETTING RATES THEREFORE.**

WHEREAS, pursuant to Section 199 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 1980, including amendments thereto, a Council may pass By-Laws to provide for the collection, removal and disposal of garbage, refuse and waste;

AND WHEREAS the Town of Oyen has entered into an agreement with the Big Country Regional Waste Authority for the establishment and operation of a regional waste transfer station to replace the sanitary landfill site;

AND WHEREAS the Council of the Town of Oyen deem it expedient to pass a by-law to provide for the defining of and regulation and disposal of refuse, garbage and waste in the Town of Oyen;

NOW THEREFORE, the Council of the Town of Oyen duly assembled enacts as follows:

SECTION 1 - OPERATION

- 1.1 This Bylaw shall be known as the Garbage Bylaw and the system for collection, removal and disposal of garbage, refuse and waste material accumulated within the Corporate Limits of the Town of Oyen shall be operated in the manner herein set forth.

SECTION 2 - DEFINITIONS

- 2.1 For the purpose of this By-Law the following terms, phrases, words and their derivations shall have the meanings given herein.
- (a) **"Apartment House"** means a residential building divided into separate self-contained suites or apartments having sleeping, cooking, and bathroom or toilet facilities and which contains more than three such suites or apartments and may include, but is not limited to, structures known as Town houses or Rowhouses.
 - (b) **"Ashes"** means the residue and cinders from any substance used for fuel, but does not include such residue as may accumulate as a result of building operation.
 - (c) **"Automated Collection"** means the collection of waste by means of a mechanical system into vehicles specially designed for such purposes.
 - (d) **"Automated Collection Container"** means a container approved and provided by the Town for automated collection of waste and includes a black cart, blue cart, and green cart
 - (e) **"Building Waste"** means all waste produced in the process of construction, altering or repairing a building, including earth, vegetation and rock displaced during the process of building.
 - (f) **"Commercial Premises"** means a cafe or restaurant, hospital, nursing home, lodge, school, recreation center, warehouse, wholesale or retail business place, office building or service station, factory or industrial plant and any other building or premise except a dwelling.
 - (g) **"Commercial Hauler"** means a person engaged in the business of collecting waste from premises for transport to a disposal site or material recovery facility or a food and yard waste material recovery facility, as applicable;

(h) **"Council"** means the Municipal Council of the Town of Oyen.

"Disposal Grounds" means the Oyen Big Country Waste Management waste transfer station

(i) **"Dwelling"** means a building occupied for residential purposes, (separately titled property - single family, duplex, and row housing) other than a multiple family dwelling or apartment house.

(j) **"Garbage"** means discarded or rejected bottles, metal cans or tins, crockery, glass, cloth, paper, food and food waste, trees, branches, wrappings, sweepings and other items of household refuse, but does not include human or animal excrement, or industrial/commercial waste or dead animals therefrom.

(k) **"Garbage Can or Receptacle"** means a black automated collection container provided for the collection of garbage.

(l) **"Hazardous Waste"** means a solid or liquid material that presents an unusual disposal problem or requires special handling including, but not limited to, explosives, poisons, caustics, acids, drugs, radio- active materials and other like materials.

(m) **"Householder"** means any owner, occupant, lessee or tenant or any other person in charge of any building or other dwelling used or intended for use as residential premises, including a multiple family dwelling but excluding commercial premises.

(n) **"Industrial Districts"** means the Industrial district as defined in the Oyen Land Use Bylaw

(o) **"Prohibited Waste"** means:

- liquid wastes, dead animals or dead animal parts, petroleum products, industrial residue, discarded furniture, automobile parts, major appliances, sod, concrete, soil, inflammable waste, explosive waste, paint, ashes;
- biological waste, hazardous waste, pathological waste and radioactive waste as defined pursuant to the Public Health Act and its regulations; and
- other materials, the collection of which are potentially dangerous to collection Personnel

(p) **"Public Health Inspector"** means the Public Health Inspector designated by the South Zone of Environmental Public Health - Alberta Health Services.

(q) **"Recyclable"** means:

- Cardboard to be taken to recycle bins
- Yard waste to be taken to the compost pile

(r) **"Street"** means public thoroughfares within the Town and includes, where the context allows, the sidewalk and borders of the streets, lanes and other public thoroughfare.

(s) **"Town"** means the Corporation of the Town of Oyen.

(t) **"Town Manager"** means the Chief Administrative Officer of the Town of Oyen.

(u) **"Waste"** means all table and kitchen refuse, all waste foods whether of animal or vegetable origin, and other like putrescible waste or decomposing matter and includes broken dishes, tins, or other refuse which the owner or possessor thereof does not wish to retain or is not retained for any useful purpose, **but does not include Prohibited Waste.**

(v) **"Yard Waste"** means grass cuttings, branches, twigs, leaves and other

garden refuse.

SECTION 3 - AGREEMENTS

- 3.1 The Council of the Town of Oyen may enter into agreements with the Regional Waste Authority, Special Areas or other municipalities for the obtaining of or operation of a regional waste transfer site.
- 3.2 The Council of the Town of Oyen may enter into agreements with other firms or individuals to provide for the collection and disposal of the whole or a portion of the garbage and refuse accumulated within the corporate limits of the Town of Oyen and such firms or individuals shall have exclusive rights within the Town of Oyen to perform such service.

SECTION 4 - COLLECTION GENERAL

- 4.1 The Town shall provide for pick-up of residential and town owned facilities wastes once a week (every seven days) except in conditions beyond the Town's control.
- 4.2 Industrial districts and building waste disposal shall be the responsibility of the owner/operator.
- 4.3 Recyclable and yard waste disposal shall be the responsibility of the householder/business
- 4.4 When a dwelling generates refuse in excess of the black automated garbage receptacle provided with the lid fully closed, the owner/occupant shall attend at the Town office to purchase additional tags for pick up or purchase an additional black automated garbage receptacle.
- 4.4 No person or persons shall deposit any garbage, refuse or any material in a garbage can or commercial container that is not his/her own or under his/her direct control.
- 4.5 No person shall bring into the Town of Oyen any garbage or refuse for collection or disposal.

SECTION 5 - COLLECTION PROCEDURE

- 5.1 No person, being the owner, occupant, tenant or person in charge of any building or premises in the Town shall put out or permit to be put out any garbage, refuse, trade refuse, or waste for collection unless such waste is first contained in an automated collection container in good condition and designed for that purpose, or in such other container as is specifically permitted by this by-law.
- 5.2 No person other than the owners or occupants or those appointed by the owners or by the Council to collect waste shall interfere with or disturb the contents of any receptacles or other waste placed for collection.
- 5.3 No garbage collection shall be made from the inside of any building or from the basement or upper floors of any multiple dwelling.
- 5.4 The Town shall not be required to remove any waste material from any receptacle which has been overfilled and the lid not closed.
- 5.5 The Town shall not be responsible for picking up any ashes.
- 5.6 Cardboard must be flattened and taken to the garbage recycle bins by the householder/business
- 5.7 Yard waste must be taken to the compost pile by the householder/business
- 5.8 The CAO shall be the final authority on placement of garbage containers in case of a dispute.

SECTION 6 - PREPARATION OF WASTE FOR COLLECTION

- 6.1 No person shall put out waste material or garbage for collection unless:
- (a) Garbage and waste from any establishment is thoroughly drained and securely wrapped in sufficient paper to absorb the moisture and placed in plastic bags which are properly tied before being put in receptacles for collection.
 - (b) Inoffensive household refuse is securely tied in bundles or placed in bags and placed within waste receptacles for removal.
- 6.2 If a black cart is full, extra garbage may be set out for collection if it is contained in one or more plastic garbage bags:
- (a) which measure no more than 66 centimetres wide and 90 centimetres long;
 - (b) which contain no more than 20 kilograms of garbage per bag;
 - (c) which are securely closed or tied at the top of the bag;
 - (d) which are placed adjacent to the black cart no closer than 50 centimetres from the black cart; and
 - (e) to which a garbage tag is attached in plain sight.
- 6.3 Extra garbage not set out in accordance with subsection 6.2 will not be collected.

SECTION 7 – PROHIBITIONS

- 7.1 Under the provisions of the by-law no person who is the owner, occupant or person in charge or responsible for any land or building in the Town shall allow waste of any kind to accumulate:
- (a) outside of a building or inside of a portion to which the public or a part of the public has access; or
 - (b) on any land or other premises whether or not there is a building or other structure erected thereon;
- EXCEPT for waste which is placed:
- (c) in receptacles required by this by-law; in a manner complying with the provisions of this by-law; and
 - (d) in a location designated or allowed by the provisions of this by-law.
- 7.2 Notwithstanding anything in Section 7.1 or elsewhere in this by-law contained, no person shall dispose of waste or allow waste to accumulate anywhere in any manner which contravenes a provision of the Public Health Act, and the regulation made thereunder, or a by-law of the Town relating to health, sanitation or nuisances.
- 7.3 No person shall directly or otherwise dispose or permit any person to dispose of any explosive, inflammable, volatile, noxious or dangerous device, substance or thing in any waste receptacle in the Town.
- 7.4 Except for sand, or similar materials in reasonable quantities placed on icy or slippery streets or sidewalks, no person shall deposit or permit to be deposited waste of any type whatsoever upon any portion of a street.
- 7.5 No person shall throw, sweep or place dust or other waste from any sidewalk or boulevard into any gutter or any other part of a street but shall gather up such dust or other waste and place it into the proper receptacle provided therefore.
- 7.6 No person shall permit any deceased animal to remain on any street or highway to obstruct the same, or to remain un-disposed for longer than four hours after death. Small animals double bagged and secured tightly or placed in an airtight container so as to prevent contamination of garbage collection equipment and health hazards may be placed for pick up. Larger animals are the responsibility of the owner to dispose of in accordance with all health and safety regulations.

- 7.7 No person shall place for collection pet manure which is not enclosed in a suitable, airtight container so as to prevent contamination of garbage collection equipment and health hazards.

SECTION 8 – RESIDENTIAL WASTE COLLECTION

- 8.1 Every householder within the Town limits shall be provided an automated collection container.
- 8.2 Where an automated collection container has been assigned to a residential dwelling, a person must not remove the container or allow the container to be removed from the residential dwelling.
- 8.3 Automated collection containers remain the property of the Town and may be removed by the town, its contractors or agents at the direction of the CAO.
- 8.4 Owners of residential dwellings are responsible for all automated collection containers assigned to the residential dwelling and must ensure that the containers are:
- (a) kept clean;
 - (b) secured against loss or theft;
 - (c) maintained in good condition;
 - (d) not altered in any way, including any alteration of the exterior; and
 - (e) available to the City, its contractors or agents within a reasonable time frame for the purposes of inspection or maintenance.
- 8.5 An owner of a residential dwelling is responsible for all fees related to automated collection containers issued for the owner's premises including fees for the provision, delivery, maintenance or replacement of the automated collection container
- 8.6 An owner must ensure that any automated collection containers for waste used at the owner's premises are filled so that the total weight of the container and its contents does not exceed 60 kilograms, and the lid is closed completely.
- 8.7 Collection will be done from the front yard.
- 8.8 All previous garbage containers and boxes in back alleys must be cleaned up and disposed of.
- 8.9 Unless an owner has written approval from the CAO to set an automated collection container for waste out for collection at a specific location, the owner must ensure that an automated collection container filled with waste:
- (a) is located at least 1 metre from any object on either side of the container;
 - (b) is located at least 50 centimetres from any object behind the container;
 - (c) has an overhead clearance above the top of the automated collection container of 3 metres;
 - (d) front street collection, is:
 - (i) located in front of the residential dwelling that generated the waste materials;
 - (ii) located on the street at the curb; or on the driveway at the street; and
 - (iii) placed in an upright position and the front of the container facing the street;
- 8.10 An owner must ensure that waste from the owner's premises is set out for collection no later than 7:00 a.m. on the day of collection.
- 8.11 An owner with front street collection must:
- (a) set waste out for collection no earlier than 7:00 p.m. on the day before collection; and
 - (b) remove automated collection containers from the collection location before 7:00 p.m. on collection day.
- 8.12 When any automated collection container has been condemned by the Town CAO and a written notice to that effect has been given to the householder, the condemned automated collection container may be removed and disposed of along with the garbage from the premises in which case the householder shall forthwith provide a suitable automated collection container to replace the one that has been condemned and removed at his/her expense.

SECTION 9 – COMMERCIAL PICKUP

- 9.1 The occupant or owner of a commercial premises including Provincial and Federal government Premises and Institutions shall be required to make arrangements for the removal and disposal of garbage and waste material to adequately keep the premises in question free from such garbage and waste.
- 9.2 Commercial wastes must be kept in an area blocked from public view and stored in such a way that it does not become a public nuisance until such time as it is disposed of.
- 9.3 Owner and/or occupant of commercial premises may provide commercial containers for private contract for collection of refuse, garbage or industrial waste.

SECTION 10 - INDUSTRIAL DISTRICTS

- 10.1 Industrial Districts shall be responsible for their own industrial waste disposal.
- 10.2 Industrial waste must be kept in an area blocked from public view and stored in such a way that it does not become a public nuisance until such time as it is disposed of.
- 10.3 Owner and/or occupant of industrial premises may provide commercial and industrial containers for private contract for collection of refuse, garbage or industrial waste.

10.4

SECTION 11 - CONSTRUCTION ON DEVELOPMENT SITES

- 11.1 Contractors and/or Developers are responsible for disposal of their own construction debris (rubbish).
- 11.2 Debris on sites must be stacked on sites so as not to cause a nuisance, fire hazard, or injuriously affect the privacy of adjoining properties.
- 11.3 Debris on sites must be contained and not allowed to spill over or accumulate on any street, lane or property. Every such person shall be fully responsible for any violation of this section.
- 11.4 Contractors or Developers must ensure that any excavation soil and/or debris is not placed on any road or lane-way without written permission from the Town. If permission is given, the contractor or developer is responsible for returning the lane or roadway to previous condition by removal of soil or debris and cleaning of same.
- 11.5 All major construction projects (new houses, major house renovations and commercial type buildings) may be required to have a Commercial container on the construction site during construction.

SECTION 12 - PRIVATE DISPOSAL OF WASTE

- 12.1 No person who has waste of any description requiring disposal shall dispose of it elsewhere than at a disposal site of a type appropriate for the type of waste.
- 12.2 A person who has disposed of waste on any land contrary to the provisions of Section 12 of the by-law, shall remove the same upon being required to do so by the owner, occupant or person in charge of the land, or by the By-law Enforcement Officer, but such removal shall not prevent him from being prosecuted for a contravention of this section.
- 12.3 If the person who has placed waste on land contrary to the provisions of Section 12 of this by-law cannot be ascertained or neglects or refuses to remove the waste therefrom; the owner, occupant or person in charge of the land shall remove the waste or cause the waste to be removed from the land upon being directed to do so by the Town Manager.

SECTION 13 - CONVEYANCE OF WASTE

- 13.1 A person using a vehicle of any description to convey waste of any type whatsoever from the property where the waste is accumulated or is produced to any other location either within or without the Town, whether the same is to be placed into a Town Disposal site or not, shall cover the box, body or portion of the vehicle in which the waste is transported by a tarpaulin, canvas, wooden covering or a covering of any other description which is so placed and secured so that no portion of waste is able to come loose from the vehicle and fall on any public or private property other than that from which it is removed.
- 13.2 A person who transports waste through the Town by a vehicle of any description in a manner so that any portion of the waste detaches itself from the vehicle and falls on property other than property from which it is taken is guilty of an offense against this by-law.

SECTION 14 - BURNING REGULATION

- 14.1 No burning of garbage or waste shall be allowed within the boundaries of the Town of Oyen.

SECTION 15 - SPRING OR FALL CLEAN-UP

- 15.1 Council may at any time call for a Spring or Fall Clean-up.
- 15.2 The Town may, at no extra charge to the residents, provide these extra pick-ups where the provisions of this by-law are met (bagging, bundling, etc.).
- 15.3 Residents will be so advised of the special pick-ups in one or more of the following manners:
- a) by insertion of advice in the water bill, flyer, local newspaper, facebook and/or website at least one week prior to the dates.

SECTION 16 - REFUSAL OF SERVICE

- 16.1 Non-payment of invoices or bills or any contravention of this By-Law shall result in cessation of services.
- 16.2 Collectors may refuse to collect refuse, debris or waste products which have not been securely packaged or contained, or if the containers have been torn or ripped to allow spilling or scattering of the contents.
- 16.3 Service may be refused for any other reason deemed sufficient and reasonable by Council.

SECTION 17 - CHARGES

- 17.1 The charges for a municipal utility service provided to a parcel of land are an amount owing to the municipality by the owner of the parcel.
- 17.2 The charges for a municipal utility service shall be due and payable 25 days after billing, after which a late payment penalty will be applied.
- 17.3 The service charge to the consumer for Municipal Garbage Service, a late charge penalty for arrears and other fees for the Municipal Utility Service or System are set out in Appendix "A" of this By-Law.
- 17.4 When an account is in arrears the Town may, cause the amount owing to be placed on the tax roll as an additional tax against the land concerned, and it shall be collected in the same manner as taxes.

SECTION 18 - PENALTIES

- 18.1 Where any person is alleged to have breached any of the provisions of this by-law, the By-Law Enforcement Officer, RCMP or designated Officer may serve upon

such person a violation tag specifying the offence and requiring payment to the Town of an amount specified on the notice.

- 18.2 Any violation tag issued under the provisions of this by-law shall be deemed to be sufficiently served if served personally upon the person alleged to have committed the offence or upon the owner, occupier or other person in charge of the premises upon which the offence is alleged to have been committed.
- 18.3 Every person who violates any provision of this by-law is guilty of an offence and liable on summary conviction to a fine not less than \$200.00 (two hundred dollars), exclusive of costs, for each offence, and in default of payment thereof to imprisonment for a period not exceeding 60 (Sixty) days.
- 18.4 Any person violating any provision of this by-law, and to whom a violation tag has been issued, may avoid prosecution for the offence by paying the prescribed penalty as set out in Schedule "A" of this by-law, within 30 days, as indicated on the violation tag.

SECTION 19 – BILLING

- 19.1 A charge for garbage collection and for the operation and maintenance of the Regional Waste Transfer Site shall be included in the water billing mailed from the Town Office every month and where there is no billing for water service specifically, billing for garbage rates will be handled in the same manner as though there was a water billing

SECTION 20 - SCHEDULE

- 20.1 All Schedules shall be deemed part of this Bylaw.
Schedule "A" Rates.
- 20.2 Schedule "B" indicates garbage pickup days.

SECTION 21 - INTERPRETATION

- 21.1 Bylaw 620 and any amendments thereto are hereby repealed upon the effective date of this Bylaw.
- 21.2 Except as expressly provided herein, nothing in this Bylaw shall be deemed to supersede or contradict relevant Provincial or Federal laws including legislation, regulations, and permits granted there under and, where provisions of this Bylaw are inconsistent with the relevant Provincial and Federal laws, those provisions under this Bylaw shall be of no force and effect.
- 21.3 If any provision of this Bylaw is declared or held to be invalid by a Court of competent jurisdiction, that provision shall be deemed to be severed, and the remainder of the Bylaw shall remain in force and effect.

SECTION 22 - ENACTMENT

- 22.1 This By-Law shall take effect July 1, 2025.

READ A FIRST TIME this 13th day of May, 2025.

READ A SECOND TIME this 16 day of June, 2025

READ A THIRD TIME this 16th day of June, 2025.



Mayor



Chief Administrative Officer

TOWN OF OYEN
SCHEDULE "A" TO BY-LAW NO. 934-25

Garbage Charges

Rates for Residential

Basic Residential

\$38.30/bin

(applies to detached single family dwelling, mobile homes, duplexes, triplexes, fourplexes, fiveplexes, sixplexes)

Extra bag purchases

\$ 2.50/tag

Penalty

A penalty of two and one-half percent (2.5%) will be added to the arrears balance of all accounts monthly

TOWN OF OYEN

SCHEDULE "B" TO BY-LAW NO. 934-25

- **YELLOW**= Tuesdays
- **PINK**= Thursdays
- **GREEN**= Separation roads (Main Street and 3rd Ave E)

