

BYLAW 11 - 2008

A BYLAW OF STRATHCONA COUNTY TO ESTABLISH TERMS AND CONDITIONS FOR THE PROVISION OF WASTE COLLECTION AND RECYCLING SERVICES IN STRATHCONA COUNTY.

WHEREAS the Municipal Government Act, RSA 2000, c. M-26 provides that a Council may pass bylaws respecting public utilities; and

WHEREAS it is deemed advisable and expedient to set out the terms and conditions applicable to the collection and disposal of solid waste and the provision of recycling services within Strathcona County;

NOW THEREFORE, THE COUNCIL OF STRATHCONA COUNTY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

PART 1 – SHORT TITLE

1.1 This Bylaw may be referred to as “The Waste Management Bylaw”.

PART 2 - DEFINITIONS

- 2.1 “Ashes” means the powdery residue left after the combustion of any substance and includes partially burnt wood, charcoal or coal;
- 2.2 “Associate Commissioner of Corporate Services” means that person designated by the Chief Commissioner of the County and delegated all duties and responsibilities of that position;
- 2.3 “Automated Bin Service” means a collection service where Waste Materials are stored in a bin constructed to be emptied mechanically into a collection vehicle;
- 2.4 “Building Material” means:
- 2.4.1 board lumber, such as 2x4's, 2x6's, 2x10's, baseboards, etc., which are limited to lengths of 0.9m (36"); or
 - 2.4.2 sheet lumber, such as plywood, paneling and drywall, limited to 0.9m x 0.3m (36"x 12") sheets with maximum thickness of 25mm (1");
- 2.5 “Chief Commissioner” means the Chief Administrative Officer for Strathcona County;
- 2.6 “Clerk of the Provincial Court” means an officer of a Provincial court who accepts filings, issues process and keeps records;
- 2.7 “Collection Service” means the curbside or roadside collection of Waste Materials, Organic Materials, Fibre Recyclables and Container Recyclables;

- 2.8 "Collector" means the Person or Persons appointed by the County for the purpose of collecting and disposing of Waste Materials, Organic Materials, Fibre Recyclables and Container Recyclables;
- 2.9 "Commercial Facilities" includes stores, warehouses, commercial, industrial and institutional facilities;
- 2.10 "Community Peace Officer" means a Bylaw Enforcement Officer appointed by the County pursuant to the *Municipal Government Act*, RSA 2000, c.M-26, to enforce the County Bylaws, and includes a member of the Royal Canadian Mounted Police, and when authorized, a Special Constable;
- 2.11 "Compulsory Service" means the requirement for Collection Services within the Urban Service Area, Hamlet, or properties as set out in Schedule "A" to this Bylaw.
- 2.12 "Container" will be one or a combination of the following:
- 2.12.1 Waste collection cart supplied to eligible premises by the County.
 - 2.12.2 Aerated organics collection cart supplied to eligible premises by the County.
 - 2.12.3 Reusable and non-reusable bags for Fibre and Container Recyclables.
- 2.13 "Container Recyclables" means glass bottles and jars, aluminum, steel and tin cans, margarine and yogurt containers, grocery and retail bags, plastic bottles with twist off top, beverage containers, polycoat milk cartons, plastic milk jugs and juice cartons, tetra packs and mini-sip containers or other items designated by Council from time to time;
- 2.14 "Council" means the Municipal Council of Strathcona County;
- 2.15 "County" means Strathcona County;
- 2.16 "Dwelling" means any detached single family residence, duplex, or Multi-Family Complex designed for individual family living;
- 2.17 "Fees and Charges Bylaw" means the County's Fees and Charges Bylaw 91-2007 as amended or replaced from time to time;
- 2.18 "Fibre Recyclables" means mixed paper, corrugated cardboard, newsprint, box board, magazines, catalogues, flyers, telephone or other soft cover books, paper egg cartons, polycoat milk containers or other similar material designated by Council from time to time;

- 2.19 "Four Stream Waste Collection" means the collection of Waste Materials, Organic Materials, Fibre Recyclables and Container Recyclables;
- 2.20 "Hamlet" means that area within the boundaries of a Hamlet as declared by Ministerial Order or as expanded by Ministerial Order or by Bylaw or resolution of Council from time to time, but does not include the Urban Service Area of the Hamlet of Sherwood Park;
- 2.21 "Householder" means any owner, occupant, lessee or tenant or any other Person in charge of any Dwelling;
- 2.22 "Industrial/Commercial/Institutional Waste" or "ICI Waste" means material of similar composition as mixed waste collected within the County other than by County Collection;
- 2.23 "Manager of Financial Services" means the Manager of Financial Services for the County and whatever subsequent title may be conferred on that officer by Council or Statute;
- 2.24 "Manager of Utilities" means the Manager of Utilities for the County and whatever subsequent title may be conferred on that officer by Council or Statute;
- 2.25 "Multi-Family Complex" means a building or private community containing three or more units, including apartment buildings, townhouses, condominiums or manufactured home parks.
- 2.26 "Organic Materials" means leaves, grass clippings, garden waste, house and garden plants, sawdust, wood shavings and kitchen food waste (fruits, vegetables and peelings, table scraps, meat, poultry, fish, shell fish, dairy products, cooking oil, grease, fat, bread, grain, rice, pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags, soiled cardboard, soiled paper and pizza boxes designated by Council from time to time;
- 2.27 "Owner" means the person who is registered under the *Land Titles Act*, RSA 2000 c. L-4, as amended or replaced from time to time, as the owner of the fee simple estate in land, or a Person who is recorded as the Owner of the property on the tax assessment roll of the County.
- 2.28 "Person" means any Person, Householder, firm, partnership, association, corporation, company or organization of any kind;
- 2.29 "Recycling Service" means curbside, roadside or any recycling or waste diversion service or program available to all County residents for the collection of Organic Materials, Fibre Recyclables and or Container Recyclables;
- 2.30 "Recycling Station" means any area within the County designated by the County to receive recyclable materials;

- 2.31 "Roadway" means a roadway within the meaning of the *Traffic Safety Act, RSA 2000, c. T-6*, as amended or replaced from time to time;
- 2.32 "Rural Area" means the area of the County not included within a Hamlet or the Urban Service Area;
- 2.33 "Seasonal Occupancy" means an accumulated period of occupancy of less than six (6) months annually;
- 2.34 "Subscription Account" means an account opened by an Owner for Collection Service by the County where a Compulsory Service is not required;
- 2.35 "Supplementary Collection Services" means Collection Services beyond the level of service established by Council.
- 2.36 "Transfer Station" means any area designated within the County for accumulation of Waste Materials for subsequent transportation;
- 2.37 "Urban Service Area" means the urban area within Strathcona County and incorporates the boundaries of the Hamlet of Sherwood Park as declared by Ministerial Order No 700/84 dated November 26, 1984, or as expanded by Ministerial Order or by Bylaw or resolution of Council from time to time;
- 2.38 "Utility Bill" means a bill which sets out the fees levied by the County on an annual, monthly, bi-monthly or quarterly basis for utility services provided by the County;
- 2.39 "Violation Tag" means a tag or similar document issued by the County pursuant to the *Municipal Government Act, R.S.A. 2000, c. M-26*, as amended or repealed and replaced from time to time;
- 2.40 "Violation Ticket" means a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act, RSA 2000, c. P-34*, as amended or repealed and replaced from time to time;
- 2.41 "Waste Disposal Site" means any area designated by the County for solid waste disposal;
- 2.42 "Waste Materials" means any material discarded from a Dwelling or Multi-Family Complex that is not Fibre Recyclables or Container Recyclables, Organic Materials or Yard Waste;
- 2.43 "Yard Waste" means roots, hedge and shrub trimmings, brush cuttings, twigs, branches, stumps, tree trunks, sod and other similar materials.

PART 3 – ADMINISTRATION

- 3.1 The Chief Commissioner may delegate the administration of this Bylaw to the following employee positions:
- 3.1.1 Associate Commissioner of Corporate Services
 - 3.1.2 Manager of Utilities
 - 3.1.3 Manager of Financial Services

PART 4 - COLLECTION AND RECYCLING SERVICES

- 4.1 Within the Urban Service Area no Person other than Strathcona County shall provide Collection Services or Supplementary Collection Services, except as provided in Schedule "A".
- 4.2 Subject to section 4.2.1 and 4.2.2, no Person shall provide Collection Services or Supplementary Collection Services outside of the Urban Service Area.
- 4.2.1 Subject to section 4.3, a Person who, at the date of passage of this Bylaw, is providing Collection Services or Supplementary Collection Services outside the Urban Service Area may continue to do so.
 - 4.2.2 If a Person, who at the date of passage of this Bylaw, was providing Collection Services or Supplementary Collection Services outside of the Urban Service Area subsequently discontinues providing such services, that Person may not recommence providing such services at a later date.
- 4.3 Every person who operates a private Collection Service must:
- 4.3.1 Comply with requirements of this Bylaw;
 - 4.3.2 Obtain any permit required by this Bylaw or any Provincial statute and regulations;
 - 4.3.3 Refuse to collect Waste Materials, Organic Materials, Fibre Recyclables and or Container Recyclables from premises whose Householders do not comply with the requirements of this Bylaw. Notwithstanding any other provision in this Bylaw to the contrary, a Person who operates a private Collection Service may select whatever Container suitable to their operation for those Householders using their services to use for placing Waste Materials, Organic Materials, Fibre Recyclables and Container Recyclables for collection.

- 4.3.4 Provide all services as offered by the County with respect to Collection Services to maximize diversion from landfill, except Organic Materials and Container Recyclables in the rural area until December 31, 2010.

PART 5 - RATES AND CHARGES, OPENING AND CLOSING OF ACCOUNTS

- 5.1 The rates and charges to be charged for Collection Service, Recycling Service and for processing or disposal shall be as set out from time to time in the Fees and Charges Bylaw.
- 5.2 Collection Service charges will be billed in accordance with Schedule "B" to this Bylaw.
- 5.3 An account must be opened before Collection Service by the County is provided.
- 5.3.1 Applications for Collection Service will be made in writing to the Manager of Utilities.
- 5.3.2 After the date of passage of this Bylaw, Subscription Accounts for the provision of Collection Service to a parcel will only be entered into with the Owner of the parcel.
- 5.4 As a condition of providing Collection Service:
- 5.4.1 The Manager of Financial Services may require a guarantee deposit from the Owner.
- 5.4.2 The guarantee deposit will be based on the amount of three consecutive billing periods as determined by the Manager of Financial Services.
- 5.4.3 A guarantee deposit is non-transferable and may be in the form of a security bond, letter of credit, cash or certified cheque.
- 5.4.4 The Manager of Financial Services may at any time require that the guarantee deposit be increased.
- 5.4.5 Upon discontinuance of service, the deposit shall be returned to the Owner within thirty (30) days together with interest, after deducting therefrom all outstanding charges for the service.
- 5.4.6 Any interest due to the Owner as set out in 5.4.5 above, shall be paid by the County to the Owner, at the rate equal to one-half (0.5%) percent below the County's weighted average rate of return from the prior year. The County weighted average rate of return will be set in January of each year for that year's payment of deposit interest.

- 5.5 All Utility Bills will be due and payable when rendered by the County and payments will be made at the address indicated on the Utility Bill or to an agent of the County.
- 5.6 That in the event a Utility Bill remains unpaid after the date fixed for payment, a penalty as Council may establish by resolution from time to time will be added to the principal outstanding amount thereto and form part of the rates levied.
- 5.7 That in the event that the Utility Bill remains unpaid for a period of sixty (60) days after the date of mailing of the account, the Associate Commissioner of Corporate Services may cause a written notice to be served by way of prepaid registered mail on the Householder at his last known address advising that unless the account is paid in full within ten (10) days from the date of mailing the said notice, the County will proceed with collection measures as provided in section 5.8 of this Bylaw.
- 5.8 Any Utility Bill remaining unpaid under this Bylaw will constitute a debt owing to the County and is recoverable by any or all of the following methods, namely:
 - 5.8.1 by action in any court of competent jurisdiction;
 - 5.8.2 by shutting off or discontinuing any Collection Service being supplied by the County to such Householder without notice;
 - 5.8.3 if the Householder is the owner of the property receiving Collection Service, by collecting in a like manner as municipal rates and taxes.
- 5.9 The Manager of Utilities may cancel Collection Service to a Householder in the event that a Utility Bill remains unpaid as described in section 5.8 of this Bylaw.
- 5.10 Closing of Account
 - 5.10.1 Collection Service accounts may be closed in accordance with attached Schedule "A".
 - 5.10.2 The County may continue to levy Collection Service charges in accordance with this Bylaw until a Collection Service account is closed in accordance with the provisions of this Bylaw.
- 5.11 The power to do any of the things provided for in this Bylaw, for the purpose of enforcing payment of any Utility Bill as may be deemed necessary, is hereby delegated to the Associate Commissioner of Corporate Services.

PART 6 - PREPARATION OF MATERIALS FOR COLLECTION

- 6.1 Yard Waste will be prepared for collection by compacting and tying in secure bundles not more than 1 metre (3.3 ft.) in length and placed in the Container designated Waste Materials.
- 6.2 Ashes will be packaged cold in biodegradable bags and placed in the Container designated for Organic Materials.
- 6.3 Sawdust will be placed in the Container designated for Organic Materials.
- 6.4 Dog feces or cat litter packaged in plastic bags must be placed in the Container designated for Waste Materials.
- 6.5 Building Materials will be limited to 1 m (3.3 ft) in length and placed in the Container designated for Waste Materials.
- 6.6 Grass clippings will be placed in the Container designated for Organic Materials.
- 6.7 All other Waste Materials will be deposited in the Container designated for Waste Materials but limited to the capacity of the Container with the lid closed.
- 6.8 No Householder will place, permit to be placed, or mix any of the following materials for removal:
 - 6.8.1 any highly combustible or explosive waste, including, without restricting the generality of the foregoing, such materials as hot Ashes, ignitable waste, motion picture film or toxic materials;
 - 6.8.2 any compound that may be considered dangerous or hazardous under the provisions of any other legislation whether Provincial or Federal;
 - 6.8.3 hypodermic needles unless packaged so they can be handled in safety;
 - 6.8.4 sharp objects or broken glass unless packaged to allow safe handling; or
 - 6.8.5 luminescent gas filled tubes, unless such tubes are encased in a container of sufficient size and strength to protect such tubes from breakage and thereby allowing safe handling;
 - 6.8.6 dead animals or animal parts.

PART 7 - RESTRICTIONS ON COLLECTION SERVICE

- 7.1 Collection Service will not be provided if:
- 7.1.1 the Container is not a proper Container supplied by County as described in section 2.12; or
 - 7.1.2 the lids on the Waste Materials or Organic Materials Container are not closed and material is overflowing; or
 - 7.1.2 there is loose materials not placed in the Container; or
 - 7.1.3 mixed Waste Materials are placed out for collection on the Organic Materials collection day applicable in that section of the County; or
 - 7.1.4 Organic Materials are placed out for collection on the mixed Waste Material collection day applicable in that section of the County; or
 - 7.1.5 the Container contains material(s) described in section 6.8; or
 - 7.1.6 the materials have not been prepared as described in part 6; or
 - 7.1.7 the Container is not located as described in part 8; or
 - 7.1.8 the Container contains materials other than the materials permitted by the County in its Four Stream Collection service.

PART 8 - COLLECTION AND STORAGE LOCATIONS, AND SCHEDULING

- 8.1 Every Householder to which this Bylaw applies shall obtain from the County collection Containers suitable for containing all of the Waste Materials and Organic Materials generated from the premises on a biweekly basis.
- 8.2 A Householder may request the Manager of Utilities to provide a replacement Container of a different capacity, or one more additional Container, and the service fees for which the Householder is liable under this Bylaw shall be adjusted in accordance with the Fees and Charges Bylaw.
- 8.3 The Householder shall maintain all Containers supplied by the County in a clean and sanitary condition at all times, and shall notify the Manager of Utilities of any lost, stolen or damaged Containers and obtain a replacement.
- 8.4 Where the Collection Service is provided to a Dwelling from a highway, the Householder shall place the Containers for collection adjacent to the boulevard, curb or shoulder of the highway prior to 7:30 a.m. on the collection day

specified from time to time by the Manager of Utilities, but not earlier than 9:00 p.m. on the previous day.

- 8.5 In the case of premises adjacent to a lane from which the Collection Service is provided, the Householder shall place the container on the Householder's land at location adjacent to the lane and not separated from it by any fence, gate or other structure, prior to 7:30 a.m. on the collection day specified from time to time by the Manager of Utilities but not earlier than 9:00 p.m. on the previous day.
- 8.6 In the case of premises in a Multi-Family Complex, the Householder shall place the Container for collection at the curb or shoulder of the highway from which the Householder has access unless the Manager of Utilities specifies a different location, in which case it shall be placed at the location specified by the Manager of Utilities, and all Householders of the Multi-Family Complex shall place their Containers at the same location.
- 8.7 No Container shall be placed for collection such that it is within one meter of any structure or other object.
- 8.8 No Container shall, except when placed for collection, be located other than on the Householder's premises, and in particular no Container shall be located so as to encroach on any Roadway, highway, boulevard, lane or public place except as expressly required by this Bylaw.
- 8.9 No person shall place any Waste Materials or Organic Materials for collection in any Waste Materials or Organic Materials Container intended to be emptied by automated machinery, other than a Container provided by the County.
- 8.10 Collection of Waste Materials and Organic Materials shall be biweekly (once every two weeks) on alternating weeks. Collection of Fibre Recyclables and Container Recyclables shall be on a weekly basis.
- 8.11 Waste Materials Containers and Organic Materials Containers must be removed from curbside by 9:00 p.m. the day of collection. Any materials not collected must be removed from curbside by 9:00 p.m. the day of collection.
- 8.12 In approved townhouses and condominiums in accordance with Schedule "A" Containers will be stored on private property and placed out for collection in such manner and location(s) as determined by the Manager of Utilities.
- 8.13 The days and times of Collection Service will be the days and times approved by the Manager of Utilities.

PART 9 - WASTE DISPOSAL SITES, TRANSFER STATIONS AND RECYCLING STATIONS

- 9.1 All Persons utilizing a Waste Disposal Site, Transfer Station or Recycling Station will obey all signs, posted regulations and directions of site attendants.
- 9.2 No Person will remove any Waste Materials, Organic Materials, Fibre Recyclables, Container Recyclables or any other material from Waste Disposal Sites, Transfer Stations or Recycling Stations without permission in writing of the Manager of Utilities.
- 9.3 No Person will ignite or cause to be ignited any Waste Materials, Organic Materials, Fibre Recyclables, Container Recyclables or any other material or part thereof at any Waste Disposal Site, Transfer Station, or Recycling Station.
- 9.4 No Person will deposit any burning material or smoldering material at a Waste Disposal Site, Transfer Station, or Recycling Station without the written consent of the Manager of Utilities.
- 9.5 No Person will deposit in a Waste Disposal Site, Transfer Station or Recycling Station, any materials not designated by the Manager of Utilities for deposit, or any material(s) as described in section 6.8 of this Bylaw.
- 9.6 The hours of operation of the County operated Waste Disposal Sites, Transfer Stations or Recycling Stations will be as approved by the Manager of Utilities and posted at each site.

PART 10 – OFFENCE AND PENALTIES

- 10.1 Community Peace Officers are hereby authorized to enforce the provisions of this Bylaw.
- 10.2 Any Person who contravenes a provision of this Bylaw is guilty of an offence and is liable to a penalty as set out in Schedule "C" of this Bylaw.
- 10.3 Notwithstanding section 10.2 of this Bylaw, any Person who commits a second or subsequent offence under this Bylaw within one (1) year of committing the first offence is liable to a fine of not less than nor more than double the amount as set out in Schedule "C" to this Bylaw.
- 10.4 A Person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided, is liable to a fine of not less than One Hundred (\$100.00) Dollars and not more than Ten Thousand (\$10,000.00) Dollars.
- 10.5 Under no circumstances will any Person contravening any provision of this Bylaw be subject to the penalty of imprisonment.

- 10.6 Nothing in this Bylaw will be construed as curtailing or abridging the right of the County to obtain compensation for or to maintain an action for loss of or damage to property from or against the Person or Persons responsible.

PART 11 - VIOLATION TAG

- 11.1 A Community Peace Officer is hereby authorized and empowered to issue a Violation Tag to any Person who the Community Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 11.2 A Violation Tag may be issued to such Person:
- 11.2.1 either personally; or
 - 11.2.2 by mailing a copy to last known post office address.
- 11.3 The Violation Tag will be in a form approved by the Chief Commissioner and will state:
- 11.3.1 the name of the Person;
 - 11.3.2 the offence;
 - 11.3.3 the appropriate penalty for the offence as specified in Schedule "C" of this Bylaw;
 - 11.3.4 that the penalty will be paid within thirty (30) days of the issuance of the Violation Tag;
 - 11.3.5 any other information as may be required by the Chief Commissioner.
- 11.4 Where a contravention of this Bylaw is of a continuing nature, further Violation Tags may be issued by the Community Peace Officer, provided however, that no more than one Violation Tag will be issued for each day that the contravention continues.
- 11.5 Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Associate Commissioner of Corporate Services the penalty specified on the Violation Tag.

PART 12 - VIOLATION TICKET

- 12.1 In those cases where a Violation Tag has been issued and if the penalty specified on a Violation Tag has not been paid within the prescribed time, then a Community Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended or repealed and replaced from time to time.
- 12.2 Notwithstanding section 12.1 of this Bylaw, a Community Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket to Part II of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time, to any Person who the Community Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 12.3 Where a Violation Ticket has been issued to a Person pursuant to this Bylaw, that Person may plead guilty to the offence by submitting to a Clerk of the Provincial Court, the specified penalty set out on the Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.
- 12.4 Notwithstanding section 12.3, for any offence of the Bylaw issued pursuant to section 10.4, the Community Peace Officer has the discretion to require a mandatory court appearance by the Person to whom the Violation Ticket was issued.

PART 13 - SEVERABILITY PROVISION

Should any provision of this bylaw be invalid then such provision shall be severed and the remaining bylaw shall be maintained.

PART 14 - GENERAL

- 14.1 Nothing in this Bylaw will operate to relieve any Person from complying with any Federal, Provincial or other County law, order, regulation or Bylaw.
- 14.2 That Bylaw 37-2003 is hereby repealed.
- 14.3 This Bylaw will come into force and effect after third reading and upon being signed.

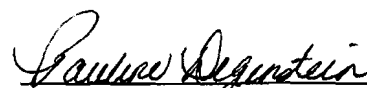
Read a first time this 25 day of March, A.D. 2008.

Read a second time this 25 day of March, A.D. 2008.

Read a third time this 1 day of April, A.D. 2008 and finally passed.



MAYOR



MANAGER, LEGISLATIVE & LEGAL SERVICES

Date Signed: April 4, 2008

**COLLECTION SERVICES AND RECYCLING SERVICE
ELIGIBILITY AND OPTING-OUT GUIDELINES**

A. COLLECTION SERVICES

1. URBAN SERVICE AREA

1.1 Eligibility Provision:

- 1.1.1 Compulsory Service: Household members within the Urban Service Area who receive a water and/or sewer Utility Bill from the County will receive Collection Services automatically and an account will be established and effective as of the date of ownership or occupancy whichever first occurs. This excludes all apartments and Commercial Facilities.
- 1.1.2 Subscription: Household members residing within a Multi-Family Complex may apply for Collection Service as a group in accordance with part 5 of this Bylaw. Upon approval all Household members within the site will be provided and billed for Collection Services. All presently approved Multi-Family Complexes serviced by the County, and all future Multi-Family Complexes within the Urban Service Area, will receive all Collection Service from the County.
- 1.1.3 In the event Household members referred to in clause 1.1.2 herein require Collection Services beyond the level of service established by Council, the Household members must apply to the Manager of Utilities for Supplementary Collection Services. The County will have the right to accept or reject the application for Supplementary Collection Services, on terms and conditions as established by Council. In the event the County rejects the application for provision of Supplementary Collection Services, the Household members may use other Collection Service providers for the Supplementary Collection Services only. The provision of Supplementary Collection Services by the County or other private Collection Service providers does not affect the Collection Service and conditions described in clause 1.1.2 herein.
- 1.1.4 Subscription Account: Owners within the Urban Service Area who do not receive a water and/or sewer Utility Bill from the County may apply for Collection Service in accordance with part 5 of this Bylaw.

1.2 Opting-out Provision:

- 1.2.1 Householders may opt-out of Collection Service if a Householder resides on a property greater than 0.81 ha (2 acres) in area.
- 1.2.2 Householders residing within Multi-Family Complexes may opt-out of collection from the County, as a group, only if the Householders have contracted for Automated Bin Service. Upon written confirmation to the County that a contract is in place for Automated Bin Service, Collection Service will be discontinued to all Householders within the site.
- 1.2.3 The effective date for opting-out of Collection Service will be the date upon which the Manager of Utilities approves the application from the Householders.
- 1.2.4 Householders opting-out of Collection Service will be subject to a start up fee as described in the Fees and Charges Bylaw.

2. RURAL AREA

2.1 Eligibility Provision

- 2.1.1 Compulsory Service: Householders who reside in the rural area on a property 0.81 ha (2 acres) or less must receive collection service. An account will be established with Strathcona County or a private service provider in accordance with Part 4 of this Bylaw.
- 2.1.2 Subscription Account: Owners within the Rural Area may apply for Collection Service in accordance with part 5 of this Bylaw.

2.2 Opting-out Provisions

- 2.2.1 Householders applying to opt-out of Collection Service must apply to the Manager of Utilities.
- 2.2.2 The effective date for opting-out of Collection Service will be the date upon which the Manager of Utilities approves application from the Householder.
- 2.2.3 Householders opting-out of Collection Service will be subject

to a start up fee as described in the Fees and Charges Bylaw.

3. HAMLETS

3.1 Eligibility Provisions

- 3.1.1 **Compulsory Service:** Householdors who reside within a Hamlet will receive Collection Service automatically and an account will be established and effective as of the date of ownership or occupancy whichever first occurs. This excludes all apartments and Commercial Facilities.
- 3.1.2 Householdors residing within Multi-Family Complexes may apply for Collection Service as a group in accordance with part 5 of this Bylaw. Upon approval all Householdors within the site will be provided and billed for Collection Services. All presently approved Multi-Family Complexes serviced by the County, and all future Multi-Family Complexes located within a Hamlet will receive Collection Service.
- 3.1.3 In the event Householdors referred to in clause 3.1.2 herein require Collection Service beyond the level of service established by Council, the Householdors must apply to the Manager of Utilities for Supplementary Collection Services. The County will have the right to accept or reject the application for Supplementary Collection Services on terms and conditions as established by Council. In the event the County rejects the application for Supplementary Collection Services the Householdors may use other Collection Service providers for the Supplementary Collection Services only. The provision of Supplementary Collection Services by the County or other private Collection Service providers does not affect the Collection Service and conditions described in clause 3.1.2 herein.

3.2 Opting-out Provisions

- 3.2.1 Householdors may opt-out of Collection Service if:
 - 3.2.1.1 a Householder resides on a property greater than 0.81 ha (2 acres) in area, or;
 - 3.2.1.2 a Householder resides on a property less than or equal to 0.81 ha (2 acres) in area on a Seasonal Occupancy basis.

- 3.2.2 Householders applying to opt-out of Collection Service under section 3.2.1.1 must apply to the Manager of Utilities in writing.
- 3.2.3 Householders applying to opt-out of Collection Service under section 3.2.1.2 must apply to the Manager of Utilities in writing together with an executed Statutory Declaration as attached hereto as Schedule "D".
- 3.2.4 The effective date for opting-out of Collection Service will be the date upon which the Manager of Utilities approves applications from the Householder.
- 3.2.5 Householders opting-out of Collection Service will be subject to a start up fee as described in the Fees and Charges Bylaw.

**BYLAW 11-2008
SCHEDULE "B"**

COLLECTION SERVICES BILLING PROCEDURE

1. Where there is a Compulsory Service for utility services, Collection Service charges will be included in the Utility Bill.
2. Where there is a Subscription Account for Collection Service, Collection Services charges will be included on a quarterly or annual Utility Bill.
3. Where Collection Service is added or deleted during a billing period, Utility Bills may be prorated in accordance with the actual number of days of service is provided by the County in the billing period.
4. Where a Utility Bill has been prepaid and Collection Service is discontinued, the County will provide a refund on a prorata basis.

**BYLAW 11-2008
SCHEDULE "C"**

PENALTIES

<u>1. First Offence</u>	<u>Section</u>	<u>Penalty</u>
Improper materials for removal as waste	6.8	\$100.00
Improper location of Containers (in Urban Areas)	8.4, 8.5, 8.6 and 8.7	\$100.00
Improper storage of Containers (not on private property or in view from a Roadway, highway, boulevard, Lane or public property)	8.8	\$100.00
Removal of waste or materials from Recycling Stations, Transfer Stations or Waste Disposal Site	9.2	\$100.00
Igniting waste or materials at Recycling Stations, Transfer Stations or Waste Disposal Site	9.3	\$100.00
Depositing burning material at Recycling Stations, Transfer Stations or Waste Disposal Site	9.4	\$100.00
Depositing improper materials at Recycling Stations, Transfer Stations or Waste Disposal Site	9.5	\$100.00

**BYLAW 11-2008
SCHEDULE "D"**

STATUTORY DECLARATION

CANADA)
PROVINCE OF ALBERTA)
TO WIT:) IN THE MATTER OF Bylaw 11-2008 providing
for the levying and collection of service
charges, rates and penalties in connection
with Collection Services.

I, _____, of _____,

in the Province of Alberta DO SOLEMNLY DECLARE:

1. THAT the building(s) located upon the lands described as:

PLAN: _____
LOT: _____
BLOCK: _____

is/are occupied for cooking, eating, sleeping, or living purposes for an accumulated period of less than six (6) months annually;

2. THAT I understand I will not be eligible to receive Collection Services from Strathcona County for one full year from the date upon which the Manager of Utilities approves my application for opting-out from Collection Services.

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "THE CANADA EVIDENCE ACT".

DECLARED before me at the)
_____ of _____)
in the Province of Alberta)
this ____ day of _____) _____

A Commissioner for Oaths