

VILLAGE OF HAINES JUNCTION
BYLAW # 140-99

A bylaw of the Village of Haines Junction to provide for the maintenance and operation of the municipal landfill site.

WHEREAS Section 265 of the Municipal Act, being Chapter 19, Statutes of the Yukon Territory and amendment, authorizes the Council of the Village of Haines Junction to regulate the collection, removal and disposal of garbage, refuse and ashes,

NOW THEREFORE, the Council of the Village of Haines Junction in open meeting assembled, hereby **ENACTS AS FOLLOWS**:

SHORT TITLE:

1. This Bylaw may be cited as the "Garbage Bylaw".
2. In this bylaw,
 - (a) "APARTMENT BUILDING" means a building consisting of not less than four (4) dwelling units as hereinafter, each of which is occupied as a permanent home or residence of one (1) person or family.
 - (b) "VILLAGE" means the Village of Haines Junction.
 - (c) "COMMERCIAL PREMISES" means a café or restaurant, warehouse, wholesale or retail business place, motel/hotel, office building, garage or service station, factory, or industrial plant, or any other building or premises except a residential dwelling or apartment building.
 - (d) "COMMERCIAL WASTE" means material from excavation; material from lot clearing and building removed, demolished or destroyed by fire or any other cause; material from manufacturing processes; waste from garages and service stations; condemned matter or waste from factories; material from retail outlets or other works, or from warehouses or market gardens; ashes from industrial plants; and other similar waste material other than human or animal excrement, hazardous waste, or garbage.
 - (e) "CONTAINER" means any container other than a garbage can, approved in writing by the Village for the storage of garbage, recyclables, compostables or commercial waste.
 - (f) "CONTROLLED WASTE" means material which must be disposed of according to specific procedures and includes but is not limited to: waste asbestos, animal carcasses, large metallic waste (automobiles, freezers, etc.), grubbing from construction sites, and waste oil.
 - (g) "COUNCIL" means the Council of the Village of Haines Junction.
 - (h) "DWELLING UNIT" means one (1) or several rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one (1) or more persons.
 - (i) "GARBAGE" means discarded or rejected ashes, soiled disposable diapers, wrapping, sweepings and other items of household refuse, but does not include human or animal excrement, animal carcasses, commercial waste, hazardous waste or recyclables or compostables.
 - (j) "GARBAGE CONTAINER" means a metal or other approved receptacle designed and constructed for the purpose of disposing of garbage and intended for use with a vehicle utilizing a lift mechanism for emptying such containers.

- (k) "HAZARDOUS WASTE" means any explosive, flammable, volatile, noxious, radioactive or dangerous device, substance or thing, and includes but is not limited to such items as paint remover, BBQ starter, spray-on oven cleaner.
- (l) "HOUSEHOLDER" means any person occupying any dwelling or place of residence, but shall not include any person who is merely a roomer, boarder, or lodger therein, or any occupant of the apartment house.
- (m) "INDUSTRIAL WASTE" means material from excavation; material from lot clearing and building construction, repairs, alterations, or maintenance; debris from any building removed, demolished or destroyed by fire or any other cause; material from manufacturing processes; warehouses or market gardens; ashes from industrial plants; condemned matter or waste from factories; any other material or waste or by-product of an industrial or related activity.
- (n) "PROPRIETOR" means the occupant of commercial premises and the person in charge of an apartment building and, where such premises are unoccupied, means the owner thereof.
- (o) "RESIDENTIAL DWELLING" means a detached building containing no more than three (3) dwelling units, and may include a single family home, duplex or triplex, mobile home, or modular home.
- (p) "SCAVENGING" means to salvage from discarded or refuse material.
- (q) "SITE ATTENDANT" means a person designated by the Village to supervise the operation of the solid waste disposal site and the dumping of material therein.
- (r) "SOLID WASTE DISPOSAL SITE" means an area designated and established for the use of residents of the area for the disposal of garbage and commercial waste.
- (s) "STREET" means a public thoroughfare having a right-of-way over thirty (30) feet in width, which affords the principal means of access to abutting properties.

GENERAL:

1. For the purpose of fire protection and safety, the Village does not allow burning at the solid waste disposal site.
2. No person shall deposit any garbage or refuse at any time on any access road or driveway to the solid waste disposal site.
3. The following items shall be deposited only in such quantities as approved by the Public Works Department.
 - (a) Lumber or other building material.
 - (b) Brush or other land clearing refuse.
4. No householder, proprietor, or other person shall dispose of garbage or commercial waste in any manner other than:
 - (a) in garbage cans or containers that he supplies for this purpose; or
 - (b) by transporting same to the solid waste disposal site.

5. Except in accordance with this bylaw, no householder, proprietor, or other person shall dispose of garbage, industrial or commercial waste in any manner other than:
 - (a) by transporting same to the solid waste disposal site.
6. Except as otherwise specifically provided in this bylaw, the collection, removal and disposal of garbage shall be under the supervision of the Village.
7. The removal and disposal of garbage from areas of the Village shall be the responsibility of the owners or proprietors and disposed of only under the direction of the site attendant or in accordance with signs posted on site.
8. No "Scavenging" by unauthorized individuals may take place at the domestic garbage landfill site.
9. The owner, tenant, occupant, or person in charge of a dwelling or other building shall at all times ensure that garbage or commercial waste is kept within the garbage cans or other containers provided for that purpose, and not allowed to spill over or accumulate on any street, or adjoining public or private property. The owner shall be held fully responsible for any violation of this section regardless of the cause of such violation.
10. No person shall directly or otherwise dispose of or permit any person to dispose of any hazardous waste in any garbage can, container or solid waste disposal site, hazardous waste shall be handled and disposed of in accordance with the conditions stipulated by the Village.
11. The Village is hereby authorized to regulate the operation of the solid waste disposal site and the dumping of garbage, industrial waste and commercial waste therein, and to designate as site attendants those persons required to control such operation and dumping.
12. Every person using a solid waste disposal site for the dumping of garbage, industrial waste or commercial waste shall comply with all directions relating to movement of vehicles in the disposal site and the dumping of material, which are given by the site supervisor, or by means of signs erected at the direction of the Village.
13. No person shall operate a vehicle in the Village while it is carrying garbage or industrial or commercial waste unless the portion of the vehicle in which the material is being carried is securely covered, or the material is secured to prevent any part of such material from falling off, or out of, the vehicle while in transit.
 - (a) No person shall leave a vehicle unattended in the portion of the landfill site under control of the attendant or supervision of the Public Works department. Motorized toboggans are prohibited from entering the controlled portion of the site.
14. Notwithstanding any other provision of this bylaw, composting of garden refuse and grass cuttings is acceptable when done in a manner satisfactory to the Village.
 - (a) Placed in the proper designated area of the solid waste site.

APARTMENTS:

15. The owner or operator of every apartment building shall provide sufficient garbage containers to contain the normal garbage generated from those premises and shall provide an enclosure or location satisfactory to the Village to contain such garbage prior to its removal from the premises.

A. B.

COMMERCIAL:

16. No person shall place or keep any garbage can or container for commercial waste upon any lane or street in the Village without first having obtained written permission of the Village, or as specifically provided for in this bylaw.
17. The owner of every commercial premises shall provide sufficient garbage containers to contain the normal garbage generated from those premises and shall provide an enclosure or location satisfactory to the Village to contain commercial waste.
18. The removal of commercial waste from commercial and other premises and the full cost thereof shall be the sole responsibility of the proprietor or owner of such premises.
19. For the purpose of facilitating waste diversion and recycling activities, all commercial and institutional users must separate cardboard and other recyclables as identified by Council resolution, prior to delivering it to the waste management site.

INDUSTRIAL:

20. The removal and disposal of industrial waste shall be the sole responsibility of the proprietor or producer of such waste.
21. Those persons wishing to dispose of industrial waste in any solid waste disposal site shall first contact the Village for written permission.
22. The Village reserves the right to control the type, nature and volume of industrial waste which is deposited in any solid waste disposal site.

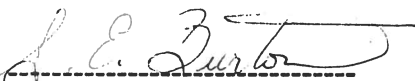
VIOLATION:

23. Every person who violates any provision of this bylaw is guilty of an offence and liable on summary conviction on a first offense under this bylaw, to a fine of not less than One Hundred Dollars (\$100.00) and not exceeding Two Hundred Dollars (\$200.00) or to imprisonment as set out in the Summary Convictions Act of the Yukon. On the summary conviction for a second or subsequent offense under this bylaw the person so responsible is liable to a fine of not less than Two Hundred Dollars (\$200.00) and not more than Five Hundred Dollars (\$500.00) or to imprisonment as set out in the Summary Convictions Act of the Yukon
24. The invalidity of any section, clause, sentence, or provision of this bylaw shall not affect the validity of any other part of this bylaw which can be given effect without such invalid part or parts.
25. This bylaw shall come into full force and effect on the final passing thereof.

Read a First Time this the 27th day of October 1999

Read a Second Time this the 27th day of October 1999

Read a Third Time and Finally passed this the 10th day of November 1999



Mayor Burton



Municipal Clerk