

# **APPENDIX B**

**ANTI-LITTER BY-LAW**

**SOLID WASTE BY-LAW**

This document is an office consolidation of by-law amendments which have been prepared for the convenience of the user. The City of Winnipeg expressly disclaims any responsibility for errors or omissions. For a certified copy of the original enactment and amending by-laws, contact City Hall Information Service at 986-2171.

***CONSOLIDATION UPDATE: DECEMBER 11, 2002***

**THE CITY OF WINNIPEG**

**ANTI-LITTER BY-LAW**  
**NO. 1075/75**

**A By-law of The City of Winnipeg to regulate the throwing or depositing of litter in The City of Winnipeg.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

**SHORT TITLE**

1. This By-law shall be known and may be cited as the "**Anti-Litter By-law**".

**DEFINITIONS**

- 2.1 In this By-law  
*amended 6595/95; 8162/2002*

**"Animal"** means any creature not human.  
*amended 6595/95*

**"Animal and Agricultural Wastes"** means manure, crop residues and like materials from agricultural pursuits, stables, kennels, veterinary establishments and other such premises.  
*amended 6595/95*

**"Ashes"** means residue from the burning of wood, coal, coke and other like material for the purpose of cooking, heating buildings, and disposing of waste combustible materials.  
*amended 6595/95*

**"Bulky Wastes"** means large items of refuse including appliances, furniture, large auto parts, and large crates.  
*amended 6595/95*

**"City"** means The City of Winnipeg.  
*amended 6595/95*

**"Council"** means the Council of The City of Winnipeg.  
*amended 6595/95*

**"Construction and Demolition Wastes"** means waste building materials and rubble resulting from construction, remodelling, repair, demolition, or fire in houses, commercial buildings, pavements and other structures.  
*amended 6595/95*

**"Director"** means the Director of Community Services or any person authorized by the said Director to exercise some or all of the powers vested in the Director by this By-law.  
*added 7609/2000; amended 8162/2002*

**"Garbage"** means animal and vegetable waste, including food packaging material with residual food materials, resulting from the handling, preparation, cooking and serving of foods in households, institutions and commercial concerns; and market wastes resulting from the handling, storage and selling of foods in wholesale and retail stores and markets.  
*amended 6595/95*

**"Industrial Refuse"** means wastes arising from, or incidental to the manufacture, processing or like operation in factories, processing plants, industrial processes and manufacturing operations and includes wastes such as putrescible garbage from food processing plants and slaughter-houses, condemned foods and products, cinders and ashes from power plants and large factories, and miscellaneous manufacturing wastes.  
*amended 6595/95*

**"Litter"** means animal and agricultural wastes, ashes, construction and demolition wastes, dead animals, garbage, industrial refuse, rubbish, solid wastes or refuse, abandoned or unattended shopping carts, and special wastes, including but not limited to street cleanings, containers, packages, bottles, cans or parts thereof, and any deserted or discarded article, product or goods of manufacture.  
*amended 6595/95*

**"Litter Receptacle"** means a container in which the public may deposit litter.  
*amended 6595/95*

**"Person"** means any person, firm, partnership, association, corporation, company or organization of any kind.  
*amended 6595/95*

**"Public Area"** means any area owned or operated by private or public interests, but excluding those areas referred to as a Public Place, that is used or held out for the use by the public, including but not limited to, school grounds; parking lots, and the necessary passage ways thereon; roadways and pedestrian ways on private property.

*amended 6595/95*

**"Public Place"** means any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings which are owned by or under the control and jurisdiction of the City.

*amended 6595/95*

**"Rubbish"** means combustibles, consisting of miscellaneous burnable materials such as paper, rags, cartons, boxes, wood excelsior, bedding, rubber, leather, and plastics; non-combustibles consisting of miscellaneous materials that are not burnable, such as tin cans, metals, ceramics, metal foils, and glass; and yard rubbish, consisting of prunings, grass clippings, weeds, leaves, general garden wastes and tree cuttings, exclusive of solid wastes otherwise classified herein.

*amended 6595/95*

**"Shopping Cart"** is any wagon, cart or device designed to be either drawn or propelled by means of human power and intended principally for the conveyance of produce or merchandise in and about retail stores.

*amended 6595/95*

**"Solid Wastes or Refuse"** means the useless, unwanted, or discarded solid materials resulting from normal community activities, including semi-liquid or wet wastes with insufficient moisture and other liquid content to be free flowing.

*amended 6595/95*

**"Special Wastes"** means hazardous wastes consisting of any waste that may present a hazard to collection or disposal personnel, or others, and includes wastes of a pathological, explosive, highly flammable, radioactive, or toxic nature, negotiable papers and like materials.

*amended 6595/95*

**"Street"** means any public highway, lane, park, square, subway, bridge, wharf, thoroughfare or way or any part thereof.

*amended 6595/95*

**"Vehicle"** means motor vehicle, watercraft, aircraft or any other means of transportation.

*amended 6595/95*

## 2.2 **DESIGNATED EMPLOYEES**

The Director and his or her delegates may conduct inspections and take steps to administer and enforce this By-law or remedy a contravention of this By-law in accordance with The City of Winnipeg Charter and, for those purposes, have the powers of a designated employee under The City of Winnipeg Charter.

*amended 8162/2002*

## **PROHIBITED ACTIVITIES**

### 3.1 Littering

No person shall dump, deposit, drop, throw, discard or leave, or cause or permit the dumping, depositing, dropping, throwing, discarding or leaving of litter upon any public place or public area or upon private property or upon or into any body of water unless:

- (i) said litter is placed into a litter receptacle or a container as required under the Solid Waste By-law except that bulky wastes, construction and demolition wastes, dead animals, industrial refuse, abandoned or unattended shopping carts, and special wastes shall not be deposited in a litter receptacle; or
- (ii) said litter is deposited at a disposal site or in a location designated for the purpose during collection days or special cleanup days; or
- (iii) said litter consisting of dead animals is disposed of in accordance with instructions issued by the Director; or  
*amended 8162/2002*
- (iv) litter consisting of abandoned or unattended shopping carts is deposited at the retail store owning the shopping carts, or
- (v) said person is involved in an emergency situation.

### 3.2 Litter on Private Property

Persons owning or occupying private property shall ensure that litter does not accumulate upon that property in such a manner as to be unsightly.

*amended 2951/81*

### 3.3 Spreading of Litter

Persons owning or occupying private property shall ensure that no litter blows or is otherwise carried from that property onto a public place, public area or other private property.

*added 2951/81*

- 3.4 No person shall spit in any public place except in a litter receptacle.  
*added 8162/2002*

4.1 Sweeping Litter into Gutters

No person shall sweep, dump or otherwise deposit litter into any gutter, boulevard, street or other public place without the permission of the Director.  
*amended 8162/2002*

4.2 Persons Owning or Occupying Property

Persons owning or occupying property shall keep the sidewalk and boulevard in front of and flanking, and the lane at the rear of their property, free of litter.

5.1 Uncovered Vehicles

No person shall load a vehicle used for the conveyance of litter that may be readily disturbed by vehicular movement or wind, unless such vehicle is so constructed as to totally enclose the load or the load is covered by a tarpaulin, netting or other device of adequate size and design so as to totally cover the load.

5.2 Vehicle Loads Causing Litter

No person shall drive or move any vehicle within the city 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.

- 5.3 No operator of a vehicle may permit litter to be thrown, dropped, blown or dumped from the vehicle.  
*amended 8162/2002*

6.1 Placement and Servicing of Receptacles under the Jurisdiction of the City

The City shall provide adequate litter receptacles in prominent and easily accessible locations in public places and shall be responsible for the servicing and maintenance of these receptacles.

6.2 Placement and Servicing of Receptacles in Public Areas

Owners and tenants in lawful control of a public area shall provide litter receptacles in appropriate and easily accessible locations and shall be responsible for the servicing and maintenance of these receptacles.

7.1 Merchants and Proprietors of Places of Business

Persons owning or occupying places of business shall keep the sidewalk and boulevard in front of and flanking, and the lane at the rear of their business premises free of litter.

7.2 The proprietor of a business that sells food or drinks in containers or papers that may be removed from the business must collect and dispose of any containers and papers discarded on the premises or on adjoining public or private land within a distance of 100 metres of the business.

*amended 8162/2002*

7.3 No person shall in any public place abandon a shopping cart or leave a shopping cart unattended.

8.1 Orders to Remedy a Contravention

Any order to remedy a contravention of this By-law must be issued in accordance with *The City of Winnipeg Charter*.

*amended 8162/2002*

8.2 Address for Service

Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:

(a) if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and

(b) if the person to be served is the occupant of real property, the street address for that property.

*amended 8162/2002*

8.3 Appeals

An appeal from an order to remedy a contravention of this By-law or a decision made by a designated employee may be made in accordance with *The City of Winnipeg Charter* to the Standing Policy Committee on Protection and Community Services.

*amended 8162/2002*

**GENERAL PENALTIES**

9.1 *repealed 8162/2002*

9.2 *repealed 8162/2002*

**REPEAL**

10.1 All by-laws, resolutions and orders passed prior hereto by any area municipality as defined in section 1, *The City of Winnipeg Act*, and still in force, relating to littering to the extent that they are inconsistent herewith, shall cease to have effect.

*amended 6595/95*

10.2 Without limiting the generality of the subsection 9.1, the following by-laws and any amendments thereto made, from time to time, are hereby repealed:

- (1) The Rural Municipality of North Kildonan By-law No. 5071
- (2) The Rural Municipality of North Kildonan By-law No. 1814
- (3) The City of St. Boniface By-law No. 4693
- (4) The City of Transcona By-law No. 23/67
- (5) The City of Winnipeg By-law No. 19347.

DONE AND PASSED, in Council assembled, this 17th day of September, 1975.



This document is an office consolidation of by-law amendments which has been prepared for the convenience of the user. The City of Winnipeg expressly disclaims any responsibility for errors or omissions. For a certified copy of the original enactment and amending by-laws, contact City Hall Information Service at 986-2171.

**CONSOLIDATION UPDATE: JANUARY 30, 2002**

**THE CITY OF WINNIPEG**

**BY-LAW NO. 1340/76**

**A By-law of The City of Winnipeg to revise and consolidate certain By-laws relating to the storage, collection and disposal of solid wastes and the fixing, billing and collection of charges thereof.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

**SHORT TITLE**

1. This By-law may be cited as the "**Solid Waste By-law**".

**DEFINITIONS**

2. Where used herein

**"Animal and Agricultural Wastes"** means manures, crop residues and like materials from agricultural pursuits, stables, kennels, veterinary establishments and other such premises.

*amended 6595/95*

**"Apartment Block"** means a residential building having not less than eight separate suites or living quarters, including nursing homes and senior citizen homes. The designated officer may, at his discretion, designate each separate living quarter of the apartment block as a residential premise, provided each separate suite or living quarter is provided with a separate and clearly identifiable yard.

*amended 2229/79, 6595/95*

**"Ashes"** means cold residue from the burning of wood, coal, coke and other like material for the purpose of cooking, heating buildings, and disposing of waste combustible materials.

*amended 6595/95*

**"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.

*amended 6455/94, 6595/95*

**"Construction and Demolition Wastes"** means waste building materials and rubble resulting from construction, remodelling, repair, demolition or fire in houses, commercial buildings, pavements and other structures.

*amended 6595/95*

**"Commercial Establishments"** means banks, offices, hotels, restaurants, retail stores, drug stores, barber shops and similar business establishments and premises which are not owned by or under the control and jurisdiction of the City and are occupied by authorized employees and officials of the City for the purpose of carrying out City business.

*amended 6595/95; 7891/2001*

A **"Cycle"** wherever used in this By-law shall mean a five (5) day working period and all reference in this By-law to removal of garbage on a cycle basis shall be deemed to mean removal of garbage once for every five (5) day working period.

*added 2229/79, amended 6595/95*

**"Designated Officer"** means the City's Commissioner of Works and Operations or such other person as may be authorized by said Commissioner of Works and Operations to exercise some or all of the powers vested in him by this By-law.

*amended 6595/95*

**"Dirt"** means natural soil, earth, sand and stone.

*amended 6595/95*

**"Garbage"** means animal and vegetable waste, including food packaging material with residual food materials, resulting from the handling, preparation, cooking and serving of foods in households, institutions and commercial concerns; and market wastes resulting from the handling, storage and selling of foods in wholesale and retail stores and markets.

*amended 6595/95*

**"Industrial Refuse"** means wastes arising from, or incidental to the manufacture, processing or like operation in factories, processing plants, industrial processes and manufacturing operations and includes wastes such

as putrescible garbage from food-processing plants and slaughterhouses, condemned foods and products, cinders and ashes from power plants and large factories, and miscellaneous manufacturing wastes.

*amended 6595/95*

**"Mobile Home"** means a place of abode that is not permanently attached to a foundation. For the purpose of this By-law, a group of mobile homes shall be treated either as a residential premise, if it contains less than eight (8) separate living quarters, or as an apartment block, if it contains eight (8) or more separate living quarters.

*added 2229/79, 6595/95*

**"Other Wastes"** means wastes, other than those herein defined, as determined by the Designated Officer.

*amended 6595/95*

**"Person"** includes firm, association, partnership and corporation.

*amended 6595/95*

**"Premise"** means a building or part thereof which is used by a person, corporation, firm, partnership, institution or association.

*amended 6595/95*

**"Residential Premise"** for the purpose of this By-law means a premise, or part thereof, used as a place of abode, up to and including seven separate units. The designated officer may, at his discretion, designate a property containing buildings with more than one residential premise as an apartment block.

*amended 2229/79, 6595/95*

**"Rubbish"** means "combustible"...."non-combustibles" ...and "yard rubbish" consisting of prunings, grass clippings, weeds, leaves, general garden wastes, residential trees and tree cuttings of not more than 0.9 metres (3 feet) in length or 100 millimetres (4 inches) in diameter in bundles not exceeding 34 kilograms (75 pounds), all exclusive of solid wastes otherwise classified herein.

*amended 6455/94, 6595/95*

**"Solid Wastes or Refuse"** means the useless, unwanted, or discarded solid materials resulting from normal community activities including semi-liquid or wet wastes with insufficient moisture and other liquid contents to be free flowing.

*amended 6595/95*

**"Special Wastes"** means "hazardous wastes" consisting of any waste that may present a hazard to collection or disposal personnel, or others, and includes wastes of a pathological, explosive, highly flammable, radioactive, or toxic nature; "security

wastes" consisting of confidential documents, negotiable papers and like materials; and "other special wastes" consisting of materials so classified by the Designated Officer.

*amended 6595/95*

The words "**deposit**", "**maintained**", "**deliver**" include respectively depositing, placing, maintaining or delivering either personally or by means of a servant or agent.

*amended 6595/95*

**"Container For Back Lane Collection"** means a City container used for automated solid waste collection from residential premises and located in back lanes at sites designated by the Designated Officer.

*added 5881/92, 6595/95*

**"Container For Curb Collection"** means a City container used for automated solid waste collection from residential premises not served by a back lane.

*added 5881/92, 6595/95*

### **ADMINISTRATION**

3. This By-law shall be administered by the Designated Officer of The City of Winnipeg.

### **RIGHT OF ENTRY TO PRIVATE PROPERTY**

4. The Designated Officer may enter any grounds, yards, vacant lots for any purpose related to the administration of this By-law.

### **LANDS TO BE KEPT CLEAN**

5. The owner or occupant of any grounds, yard or vacant lot shall cause the same to be kept free of solid wastes. The Designated Officer may enter upon any such property for the purpose of removing any solid wastes allowed to continue thereon contrary to this or any other by-law, and the cost of such removal may be recovered from the owner or added to taxes.

### **STORAGE OF SOLID WASTES**

6. Every building, including a tent, auto-trailer, house or structure, shall at all times be provided with sufficient and suitable containers to hold all garbage, rubbish, and ashes. Such containers shall be furnished and maintained in the case of:

- (a) Residential premise by each owner or occupant therein;

- (b) All other premises by the owner of the premises.

### **SUITABLE CONTAINERS**

7. Containers for solid wastes shall meet the following requirements:

- (a) They shall be of a type approved by the Designated Officer and shall be loaded in such a manner that the contents may be easily removed by collection personnel and shall be:
  - (i) Galvanized metallic material or other approved rust-resistant material, water-tight, not larger than 760 millimetres in height and 510 millimetres in width, or a capacity not exceeding 0.14 cubic metres, weighing not more than 11 kilograms and equipped with close-fitting cover and handles;  
*amended 3539/83*
  - (ii) Tubular receptacles made of not less than 35 micron (.035 millimetre) opaque plastic with a 6 millimetre bar heat seal weld where required and kept tightly closed with suitable ties while containing garbage or rubbish;  
*amended 3539/83*
  - (iii) Covered metal containers, as approved by the Designated Officer, of a size and type suitable for mechanically dumping into collection vehicles. Such containers shall be used in all locations where the quantity of solid waste equals or exceeds 1.5 cubic metres per week and where suitable conditions exist for mechanical collections:  
*amended 3539/83*
  - (iv) Any other container approved by the Designated Officer.  
*amended 3539/83*
- (b) In the case of the containers supplied under Paragraphs 7 (a) (i) and 7 (a) (ii) above, the combined weight of the container and its contents shall not exceed 34 kilograms.  
*amended 3539/83*
- (c) All containers shall be maintained in a condition satisfactory to the Designated Officer and shall be kept clean and free of odour.  
*amended 3539/83*

**PLACEMENT OF CONTAINER AND BULKY WASTE**

8. (i) In the case of property with an adjacent back lane, containers and bulky waste shall be placed in an area on the property being serviced immediately adjacent to the back lane and shall be easily accessible from the back lane.  
*amended 1531/77*
- (ii) In the case of property not served by a back lane, containers and bulky waste shall be placed for collection on refuse pick-up days, and by such time as is designated by the Designated Officer, on the property being serviced immediately adjacent to the front property line and easily accessible from the street, except where the placement of the containers and bulky wastes does not restrict or inconvenience pedestrian or vehicular traffic the containers and bulky waste may be placed between the property line and the curb side.  
*amended 2229/79*
- (iii) Any appliances, refrigerator or other container which has a snap lock or similar device shall have the door removed prior to its being put out for pick-up.
- (iv) Notwithstanding Paragraphs 8 (i) and 8 (ii), all properties using containers described in Paragraph 7 (a) (iii) shall place the container at an unobstructed location on the property suitable for handling with mechanical equipment.
- (v) Collections shall be made at a location and in a manner satisfactory to the Designated Officer.
- (vi) Where in his opinion the placement of garbage containers creates a nuisance or is aesthetically offensive to the neighbourhood, the Designated Officer shall have the power to direct the owner or occupant of the premises to appropriately screen the said garbage containers or move them to a location satisfactory to the said Designated Officer.  
*added 2510/79*

**STORAGE OF CONTAINERS**

9. (a) Containers shall be stored in a manner approved by the Designated Officer, such that there is no harborage for rodents in or near the containers. Containers shall be held upright so that they cannot be easily toppled and in such a manner that will prevent animals from breaking bags and/or scattering the contents. The owner or occupant of the premises shall immediately clean up any spillage or scattering due to improper storage.
- (b) Containers specified in Paragraph 7 (a) (iii) shall be stored on a pad of sufficient size and to allow for manoeuvring of the container. The roadway providing access

across private property to the containers specified in Paragraph 7 (a) (iii) shall be of such a design and structural strength to prevent damage to the roadway by the collection vehicle and to the collection vehicle.

- (c) Collections shall not be made from or containers returned to, any location or stand which, in the opinion of the Designated Officer, is unreasonable, inconvenient, or dangerous to the personnel and equipment carrying out collections. Containers shall be removed only from locations approved under this By-law.

### **GARBAGE TO BE WRAPPED**

10. All garbage shall be strained to eliminate liquids and enclosed in sufficient paper or other like substance to completely enclose the contents and prevent any leakage or spillage and shall be securely tied or fastened prior to placement in containers. All garbage shall be enclosed in sufficient paper or other like substance to completely enclose the contents and shall be securely tied and fastened prior to placement in the containers.

### **ASHES NOT TO BE MIXED WITH GARBAGE OR RUBBISH**

11. Ashes are to be stored in suitable receptacles approved by the Designated Officer and are not to be mixed with other garbage or rubbish. No person except with the permission of the Designated Officer shall deposit ashes on any public lane.

### **SPECIAL WASTES**

12. No person shall place special wastes in a place for collection without prior approval of the Designated Officer.

### **UNAUTHORIZED HANDLING OF SOLID WASTES**

- 13. (a) No person other than the owner or agent thereof, unless lawfully authorized to do so, shall pick over, interfere with, disturb, remove or scatter any solid wastes howsoever placed for collection.
- (b) All solid waste collected by the City, upon collection, and all refuse deposited at the disposal sites shall become the property of the City and no person shall separate, carry off or dispose of same except as authorized by the Designated Officer.

### **REMOVAL AND DISPOSAL OF WASTES**

14. (a) The open burning of any solid waste is expressly prohibited.
- (b) The City will remove and dispose of all garbage, rubbish and ashes from all residential premises, churches, and charitable institutions on a cycle basis and from all apartment blocks on a cycle basis or up to twice a week as determined by the Designated Officer.  
*amended 2229/79*
- (c)(i) The City will remove all garbage, rubbish and ashes from commercial establishments on a cycle basis in quantities not to exceed 1.5 cubic metres per pickup as determined by the Designated Officer.  
*amended 3539/83; 7891/2001*
- (c)(ii) Subject to section 24, where the garbage, rubbish and ashes from a commercial establishment exceeds 1.5 cubic metres per pick up as determined by the Designated Officer, the City will remove same on a cycle basis or up to twice a week at the charge established in Schedule "A" to this by-law.  
*added 7891/2001*
- (d) The City will not remove solid or bulky wastes from premises other than as set forth in Sections 14(b), 14(c), 14(e) and 14(f) herein, and the owners of such non-serviced premises shall arrange for collection and disposal as individually required.  
*amended 6455/94*
- (e) The City will remove and dispose of bulky wastes from all residential premises and apartment blocks upon specific application for each separate premises. The pick-up shall be at such times as may be determined by the Designated Officer, and upon payment of the amount set forth in Schedule "A". In the event the person applying for the service cancels their request no later than the day prior to the day of collection, no charge shall be made.  
*amended 6455/94, 6646/95*
- (f) The City may remove solid wastes at the expense of the owner or occupant, if, in its discretion, the continuance of the solid wastes constitutes a threat to health, or safety. This may include construction and demolition wastes, industrial and special wastes and animal and agricultural wastes.
- (g) The City may contract out the collection of any portion of the solid wastes generated within the City to any firm or individual.

### **CLEANING OF PRIVIES AND TEMPORARY CLOSETS**

15. The owners or lessees of privies and temporary surface closets known as "contractors' closets" shall ensure that contents are regularly removed at their expense, in a manner approved by the Designated Officer.



### **CONVEYANCE OF WASTES**

16. (1) Any load of solid waste or liquid 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 the load can escape. No person

shall convey or cause to be conveyed any waste that is not covered or otherwise loaded or secured.

*amended 5285/89*

- (2) 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 any landfill site or 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.

*amended 5285/89*

- (3) No person shall allow any vehicle containing solid or liquid waste of an offensive nature to stand in any location for more than thirty minutes.

*amended 5285/89*

### **RECYCLABLE WASTES**

17. The Designated Officer may from time to time make regulations requiring the separation, storage, and placement of specific recyclable wastes.

### **USE OF SANITARY LANDFILLS AND INCINERATORS**

18. (a) Any person permitted to deliver or to deposit at City landfill sites or incinerators any waste, shall do so in accordance with this By-law and in accordance with any regulations established from time to time by the Designated Officer and not otherwise.
- (b) Solid wastes shall be deposited in such places and in such manner and at such times as may be directed by the Designated Officer and not otherwise. No person shall deposit or cause to be deposited any solid waste in any place in the City or additional zone other than those places approved by the Designated Officer as sanitary landfills and incinerators.

- (c) It shall be unlawful for any unauthorized person to frequent a City sanitary landfill site or incinerator for the purpose of salvaging, picking over, scattering, searching or burning of any material.
- (d) No person shall make any delivery or deposit any waste in a City sanitary landfill site or incinerator except during the hours of operations as established by the Designated Officer.
- (e) No person shall deliver or attempt to deliver any special waste to a City sanitary landfill site or incinerator without prior approval of the Designated Officer.
- (f) No person shall deliver or attempt to deliver any non-combustible wastes to any City incinerator.
- (g) Security wastes may be destroyed at a City incinerator, subject to prior authorization being arranged with the Designated Officer.
- (h) No person shall deposit any solid wastes at the City's sanitary landfills or the incinerator without paying disposal charges outlined in Schedule "A".

#### **CHARGES FOR THE REMOVAL AND DISPOSAL OF WASTES**

19. Charges for the removal and disposal of solid wastes are set out in Schedule "A".

#### **GENERAL PENALTIES**

20. (a) Any person who contravenes or disobeys, or refuses or neglects to obey, any provision of this By-law is guilty of an offence and liable, on summary conviction, to a fine not exceeding One Thousand Dollars (\$1,000.00) in the case of an individual or Five Thousand Dollars (\$5,000.00) in the case of a corporation, or, in the case of an individual, to imprisonment for a term not exceeding six months or to both such a fine and such an imprisonment and costs.
- (b) Where the contravention, refusal, neglect, omission, or failure, including failure to comply with a notice, order or direction given by the Designated Officer continues for more than one day, the person is guilty of a separate offence for each day that it continues.

#### **REMEDIAL WORK CARRIED OUT BY CITY ON PRIVATE PROPERTY**

21. Where any owner, agent, lessee or occupier who has been given a notice, order or direction by the Designated Officer, or otherwise by the City, to do any act or thing to remedy any situation

or condition existing on his property contrary to any part of this By-law and who neglects or refuses to comply with such order or direction within the time specified, the Designated Officer may order the work carried out and charge the cost of the work done to the owner, agent, lessee, or occupier, and in default of payment

- (i) recover the cost as a debt due to the City; or
- (ii) charge the cost against the land concerned as taxes due and owing in respect of that land and recover the cost as such.

### **REPEAL**

22. All by-laws of the City of Winnipeg inconsistent with this By-law are hereby repealed.

23. This By-law shall come into force and take effect on the 1st day of February, 1977.

### **AUTOMATED SOLID WASTE COLLECTION**

24. Notwithstanding anything to the contrary in this By-law:

- (a) The Designated Officer may designate any area of the City for automated solid waste collection through the use of containers for curb collection or containers for back lane collection.

*added 5881/92*

- (b) CURB COLLECTION

- (i) The City shall distribute one container for curb collection, to each residential premise that is within an area designated by the Designated Officer for automated solid waste collection.
- (ii) Where containers for curb collection are so distributed, the occupants of the residential premise receiving such a container shall:
  - I. deposit only garbage, rubbish and ashes for collection by the City in the container;
  - II. on collection days, move the container to a place on the street adjacent to the curb adjoining the residential premise;
  - III. following collection remove the container from the street;

- (iii) The owner of the residential premise may purchase one additional container from the City.
- (iv) Where a container for curb collection is lost or is damaged beyond being able to be functionally used, the owner of the residential premise to which the original container was assigned shall purchase a replacement container from the City.  
*added 5881/92*

(c) BACK LANE COLLECTION

- (i) The City shall locate containers for back lane collection from residential premises at sites designated by the Designated Officer.
- (ii) Where containers for back lane collection are so located, the occupants of residential premises adjoining the back lane shall deposit garbage, rubbish and ashes for collection by the City in the unfilled container nearest the residential premise from which the garbage, rubbish and ashes originated.  
*added 5881/92*

(d) COMMERCIAL ESTABLISHMENTS

- (i) Where a commercial establishment is located in an area of the City designated by the Designated Officer for automated solid waste collection, the City shall remove all garbage, rubbish and ashes from such establishments on a cycle basis in a quantity not to exceed 2.25 cubic metres per pickup.
- (ii) Commercial Establishments eligible for pickup service in accordance with subsection (d)(i) shall provide covered containers of a size and type suitable for automated solid waste collection as approved by the Designated Officer.
- (iii) The City shall not remove solid waste from commercial establishments not providing containers in accordance with subsection (d)(ii) and the owners of such non-serviced premises shall arrange for collection and disposal as individually required.  
*added 5881/92*

(e) APARTMENT BLOCKS

- (i) Apartment blocks located in an area of the City designated by the Designated Officer for automated solid waste collection may provide at their cost covered containers of a size and type suitable for automated solid waste collection as approved by the Designated Officer.

- (ii) Where apartment blocks are not provided in accordance with subsection (i), owners of such apartment blocks shall arrange for supply at their cost of covered metal containers suitable for mechanical dumping into collection vehicles.  
*added 5881/92*

(f) CHURCHES AND CHARITABLE INSTITUTIONS

- (i) Where churches and charitable institutions are located in an area of the City designated by the Designated Officer for automated solid waste collection, the City shall provide the suitable container and remove all garbage, rubbish and ashes from such establishments on a cycle basis in a quantity not to exceed 0.45 cubic metres per pickup on the cycle basis.
- (ii) Churches and charitable institutions that exceed 0.45 cubic metres per pickup on the cycle basis may provide at their cost covered containers of a size and type suitable for automated solid waste collection as approved by the Designated Officer.
- (iii) Where churches and charitable institutions are not provided in accordance with subsection (f)(ii) owners of such premises shall arrange for supply at their cost of covered metal containers suitable for mechanical dumping into collection vehicles.  
*added 5881/92*

(g) REFUSE LOCATED OUTSIDE A CONTAINER

All garbage, rubbish and ashes for collection shall be placed in the designated container and the City shall not collect any garbage, rubbish or ashes not placed inside the designated container.  
*added 5881/92*

(h) PROHIBITIONS

No person shall:

- (i) deposit solid waste into a container for back lane or curb collection originating from outside an area designated by the Designated Officer for automated solid waste collection;
- (ii) move any container for back lane collection from the site designated by the Designated Officer, without first obtaining his written permission;
- (iii) damage or deface any container for curb or back lane collection;

- (iv) deposit solid waste originating from commercial premises into containers for back lane or curb collection for residential premises.  
*added 5881/92*

DONE AND PASSED, in Council assembled, this 21st day of July, 1976.

**SCHEDULE A***amended 7891/2001; 7957/2002***Charges for the Collection and Disposal of Solid Wastes**

Disposal of solid waste in accordance with Subsections 14(b), (c)(i) and (f) and 24(b), (c), (d), (e) and (f)	\$22.50 per tonne
Collection and disposal of bulky wastes in accordance with Section 14(e)	\$10.00 per premises per collection (including G.S.T.)
Late payment charge after 3 months	\$25.00
Interest on arrears	12% per annum
Disposal of any load of privately delivered solid wastes originating from a residential premises or apartment block	Loads 0-1 tonne in weight - \$4.00 per load; Loads in excess of 1 tonne Total load charged at rate of \$22.50 per tonne
Disposal of solid wastes delivered to sanitary landfill sites in accordance with Subsection 14(d)	\$22.50 per tonne except Winnipeg Harvest Inc. for whom there shall be no charge and except for any registered charitable organization which can demonstrate to the satisfaction of the Designated Officer a greater than 70% waste reduction benefit to The City of Winnipeg for whom the charge shall be 25% of the established charge. <i>amended 7957/2002</i>
Collection and disposal of special wastes	At cost calculated by the Designated Officer

Surcharge to be added for any load that is not covered or otherwise loaded or secured in accordance with subsection 16(2)	\$50.00 per load
Disposal of solid wastes from municipalities outside The City of Winnipeg delivered to sanitary landfill sites	\$22.50 per tonne
Collection and disposal of solid wastes in accordance with Clause 14(c)(ii) or Subsection 24(d)	\$ 3.50 per cubic metre of container capacity



By-law No. 1340/76

17

**SCHEDULE B**

*repealed 2229/79*